

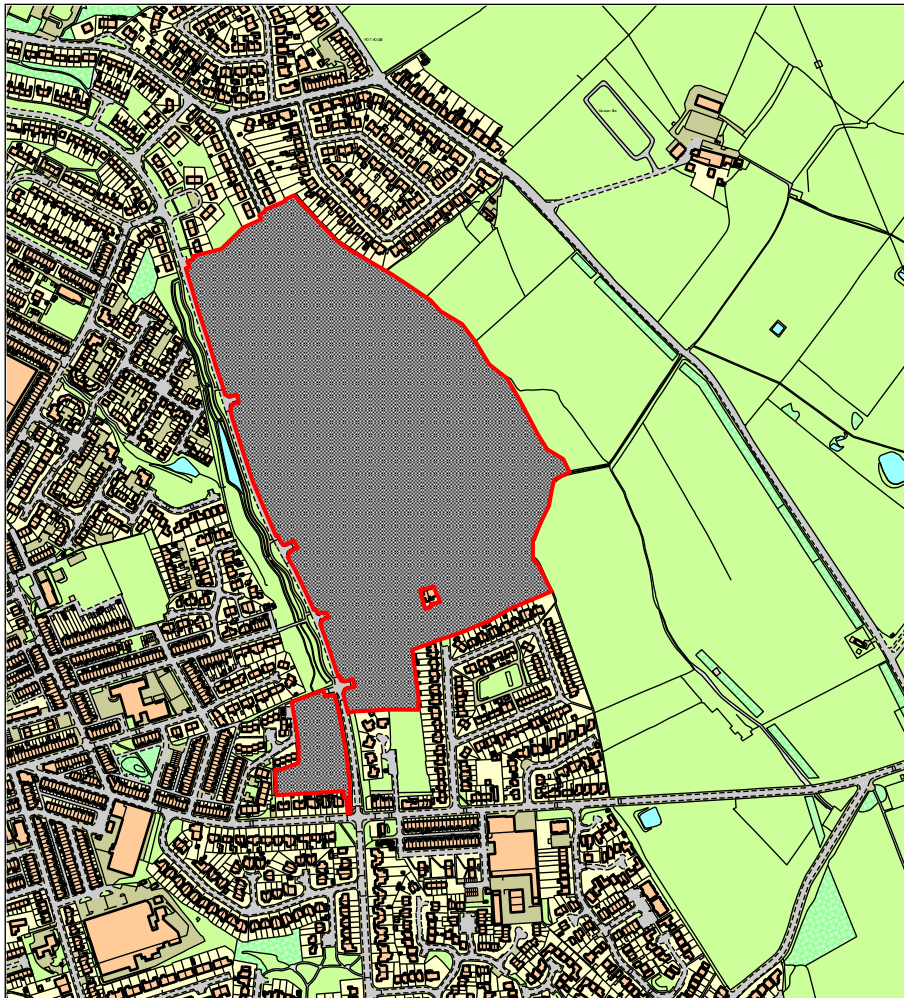
Proposed development: Full Planning Application for: Erection of 343 dwellings with associated works including car parking, landscaping and open space.

**Site address:
Land at Ellison Fold Way
Darwen
BB3 3ED**

Applicant: McDermott Homes

Ward: Darwen East and Darwen South

**Councillor: Jane Oates
Councillor: Paul Browne
Councillor: Katrina Fielding
Councillor: Kevin Connor
Councillor: Lilian Salton
Councillor: Andrew Walker**



1.0 SUMMARY OF RECOMMENDATION

- 1.1 APPROVE – Subject to a Section 106 Agreement of £1,500,000, relating to highway improvement works, sustainable transport initiatives, education provision, Green Infrastructure; and conditions set out at paragraph 4.1.**

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

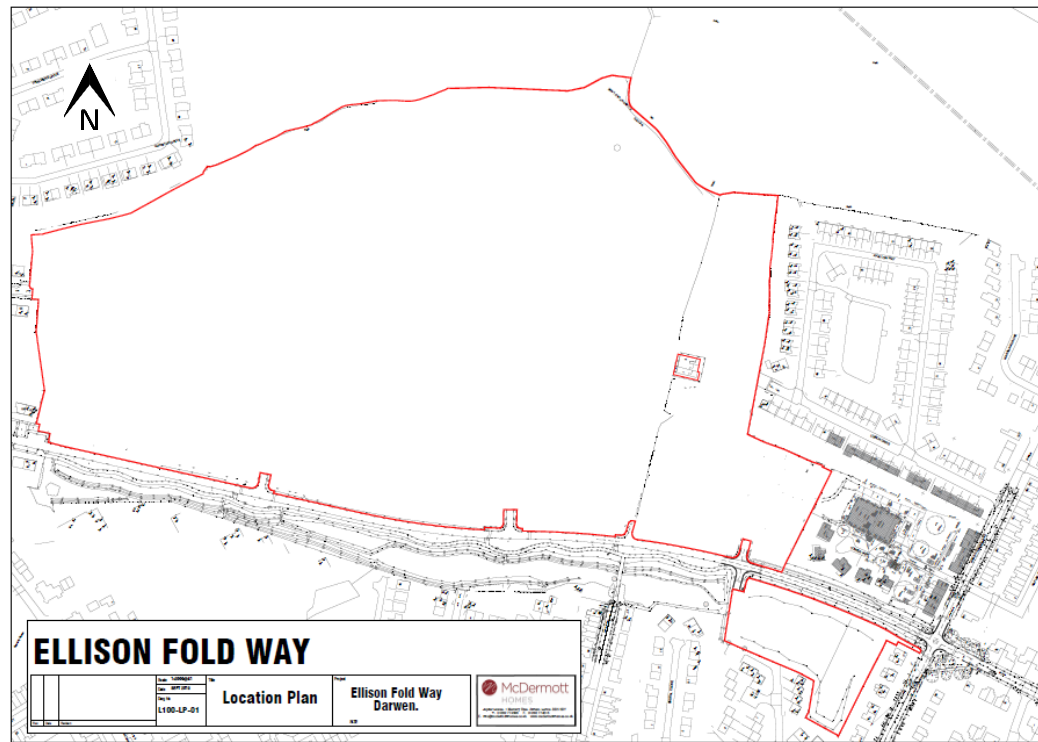
- 2.1 Detailed assessment of the application finds that the proposed development corresponds with the Council's overarching housing growth strategy, as set out in the Core Strategy and Local Plan Part 2. Delivery of a high quality housing development is assured, focussed on land that is allocated for housing delivery at Ellison Fold Way, Darwen (East Darwen Development Corridor). Moreover, from a technical point of view, all issues have been addressed through the application or are capable of being controlled or mitigated through planning conditions and a Section 106 Agreement.
- 2.2 Submission of the application follows extensive pre-application consultation undertaken between the applicant and the Council. Consultation between the applicant and the local community was undertaken at this stage via delivery of 1000 leaflets on 4th November 2020. This generated 23 community responses (a 2.3% response rate). The issues raised and the applicant's response are contained within the Statement of Community Involvement submitted with the application. It is considered that the final scheme responds proportionately to representations made during the pre-application process.
- 2.3 The scale of the proposed development directs the need for it to be screened in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations') and supporting Planning Practice Guidance (PPG). This exercise was undertaken via an application submitted by the applicant for an EIA screening opinion (ref. 10/21/0188). Screening found that the proposal does not amount to EIA development. It does not, therefore, require submission of an Environmental Impact Assessment.

3.0 RATIONALE

3.1 Site and Surroundings

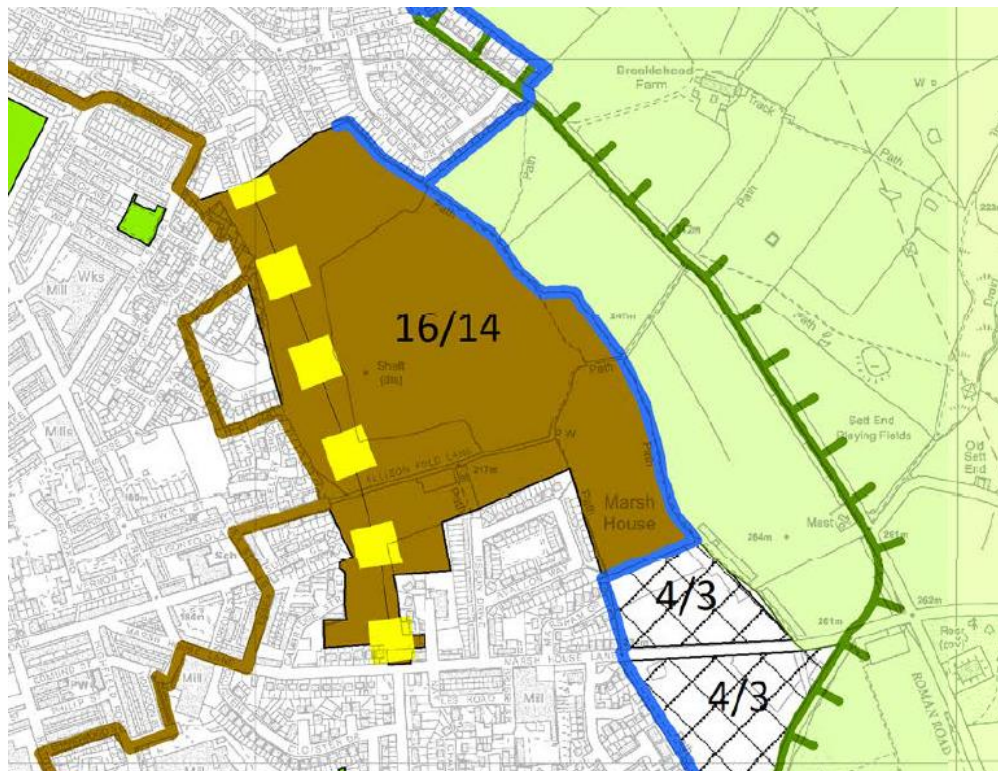
- 3.1.1 The application site (the site) is at the edge of Darwen's Urban Area, positioned to the south west of Roman Road. It is known locally as Bailey's Field and straddles Ellison Fold Lane. It also includes Ellison Fold Way which is the new road linking Ivinson Road at the north of the site with Priory Drive at the south. The road was delivered recently, in accordance with Policy 45 (Major Road Schemes) of the Local Plan Part 2 (LPP2).

3.1.2 The entire site is allocated for housing, identified as Site 16/14 – East Darwen Development Corridor, in accordance with Policy 16 of LLP2. It is defined by the red edged site plan below:



Location plan submitted by McDermott Homes

3.1.3 The site is effectively two parcels, dissected by Ellison Fold Lane. Land to the north measures 17.212 hectares (42.53 acres) in area. Land to the south measures 0.82 hectares (2.02 acres). The site is located within the defined urban boundary and is surrounded by existing residential development to the west, north and south. The east it is bounded by open countryside which is defined as Green Belt on the LPP2 Site Allocations Map. The Green Belt continues in an easterly direction from Roman Road. The following extract from the Adopted Policies Map – Darwen Section of the LPP2 – confirms the site allocation and its immediate surroundings.



3.1.4 The site was historically part of the Ellison Fold Colliery which closed around 1913. It contains a number of mine shafts and features associated with its former use. The general land form is rough grassland falling quite sharply in an east to west direction. Drainage attenuation basins are located to the immediate west of Ellison Fold Way. The site is crossed by two Public Rights of Way (PROW); FP215 and FP241. Other informal walking routes traverse the site.

3.1.5 In terms of the surrounding area; the image below shows the site within the wider context, identifying a range land uses:



Extracted from Planning Support Statement – Pegasus Group, Feb 2021.

- 3.1.6 Marsh House Lane lies to the south, connecting the site to the town centre of Darwen, which lies just over 1km to the west. Within Darwen Town Centre there is a range of retail outlets including an Asda, Lidl, and Boots along with a range of services and facilities including a post office, library and medical practice. The route between the site and the town centre is generally flat and is served by a continuous well lit footway.
- 3.1.7 To the north, west and south of the site is the main urban area of Darwen. The immediate locality is principally residential in nature with a varied mix of styles incorporating red brick, stone and render with a mix of bungalows, and semi-detached properties close to the site, with terraced properties closer to the centre of Darwen.
- 3.1.8 The rural fringes and open countryside areas of Darwen are located off Roman Road and Blacksnape Road (lying to the east and accessed via Marsh House Lane).
- 3.1.9 A regular bus route runs along Marsh House Lane and provides services to Spring Vale, Hoddlesden and Darwen.
- 3.1.10 Darwen Rail Station is located around 1km from the site and offers a Northern line service to Manchester, Rochdale and Clitheroe.

3.2 Proposed Development

- 3.2.1 Full planning permission is sought for the erection of 343no. homes of which 67no. will be grant funded affordable homes. Land to the north of Ellison Fold Way (Site One) will provide 324 homes and land to the south (Site Two) will provide 19 homes. The northern part of the application site (Site One) is privately owned by Landeer Investments Ltd with a small portion to the west of Lisbon Drive and east of Ellison Fold Way in Council ownership, and the southern part of the application site (Site Two) is Council owned. Associated works are also proposed, including provision of a network of public open space (POS), an interconnected network of streets, public footpath connections and drainage attenuation. A net residential density of circa 33 dwellings per hectare (medium density) will be achieved, when considering the developable area. Layouts and the housing schedule are indicated as follows:



Land to the north of Ellison Fold Way (Site One): Extracted from Design & Access Statement – McDermott Homes, May 2021.



Land to the south of Ellison Fold Way (Site Two): Extracted from Design & Access Statement – McDermott Homes, May 2021.

ELLISON FOLD WAY, DARWEN (SITE ONE)

	SQFT	TYPE	NO. BEDS	NUMBER	ACT.MIX	SQFT
CADER	1085	DETACHED	3	37	13.41%	40145
CHURCHILL	1085	SEMI	3	18	6.52%	19530
WINSTER	840	SEMI/MEWS	3	6	2.17%	5040
OAKHURST	900	DETACHED	3	36	13.04%	32400
ASHDOWN	966	DETACHED	3	14	5.07%	13524
ARNISON	966	DETACHED	3	2	0.72%	1932
ARNSIDE	1000	SEMI	3	5	1.81%	5000
CHATHAM	1100	DETACHED	4	75	27.17%	82500
MILLRIGG	1255	DETACHED	4	30	10.87%	37650
GRASMOOR	1265	DETACHED	4	49	17.75%	61985
BOWFELL	1200	DETACHED	4	2	0.72%	2400
BROMLEY	1200	DETACHED	4	1	0.36%	1200
SHERBOURNE	1306	DETACHED	4	1	0.36%	1306
Sub total				276	100.00%	304612
AFFORDABLE HOUSING						
A1	741			9	18.75%	6669
CONISTON	803			21	43.75%	16863
C1	1028			4	8.33%	4112
MOULTON	912			10	20.83%	9120
YORK	995			4	8.33%	3980
Sub total				48	100.00%	40744
TOTAL				324	200.00%	345356
GROSS SITE AREA						
			34.77 ACRES			
POS AREA			12.5 ACRES			
UNDEVELOPABLE AREA			1.07 ACRES			
NETT SITE AREA			21.2 ACRES			
SQFT/ACREA			16290.37736 SQFT/A			

ELLISON FOLD WAY, DARWEN (SITE TWO)

AFFORDABLE HOUSING	TYPE	NO. BEDS		
A1	SEMI/MEWS	2	5	26.32%
B2	MEWS	3	3	15.79%
C1	SEMI	4	4	21.05%
CONISTON	SEMI/MEWS	3	7	36.84%
TOTAL			19	100.00%

Housing schedule: Extracted from Design & Access Statement – McDermott Homes, May 2021.

3.2.2 Full details of the proposal are set out in the submitted drawings, Planning Support Statement and Design & Access Statement, as well as a supporting suite of technical reports.

3.3 Development Plan

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

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

3.3.3 Core Strategy

- CS1 – A Targeted Growth Strategy
- CS5 – Locations for New Housing
- CS6 – Housing Targets
- CS7 – Types of Housing
- CS8 – Affordable Housing Requirement
- CS15 – Ecological Assets
- CS16 – Form and Design of New Development
- CS18 – The Borough Landscapes
- CS19 – Green Infrastructure
- CS21 – Mitigation of Impacts / Planning Gain

3.3.4 Local Plan Part 2 (LLP2)

- Policy 1 – The Urban Boundary
- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 9 – Development and the Environment
- Policy 10 – Accessibility and Transport
- Policy 11 – Design
- Policy 12 – Developer Contributions
- Policy 16/14 – Housing Land Allocations – East Darwen Development Corridor
- Policy 18 – Housing Mix
- Policy 36 – Climate Change
- Policy 40 – Integrating Green Infrastructure and Ecological Networks with New Development
- Policy 41 – Landscape
- Policy 47 – The Effect of Development on Public Services

3.3.5 Joint Lancashire Minerals and Waste Development Plan

3.3.6 Joint Lancashire Minerals and Core Strategy (2009)

3.3.7 Site Allocations Development Management Policies Plan Part 1 (2013) Policy M2 – Safeguarding Minerals.

3.4 Other Material Planning Considerations

3.4.1 Residential Design Guide Supplementary Planning Document (2015)

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 Green Infrastructure & Ecological Networks SPD (2015)

This document provides guidance in relation to maximising opportunities to improve existing green infrastructure and to create new green infrastructure and ecological networks.

3.4.3 Air Quality Planning Advisory Note

3.4.4 National Planning Policy Framework (The Framework) (2019)

Overall, The Framework aims to raise economic performance by ensuring the quantity, quality and mix of housing reflect that required, with an expectation to maintain a 5-year housing land supply. Quality design should be secured and environmental impacts minimised.

Areas of The Framework especially relevant to the proposal are as follows:

- Section 2: Achieving Sustainable Development
- Section 5: Delivering a sufficient supply of homes
- Section 6: Building a strong, competitive economy
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal erosion
- Section 15: Conserving and enhancing the natural environment

3.4.5 National Planning Policy Guidance (NPPG).

3.5.1 Assessment

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

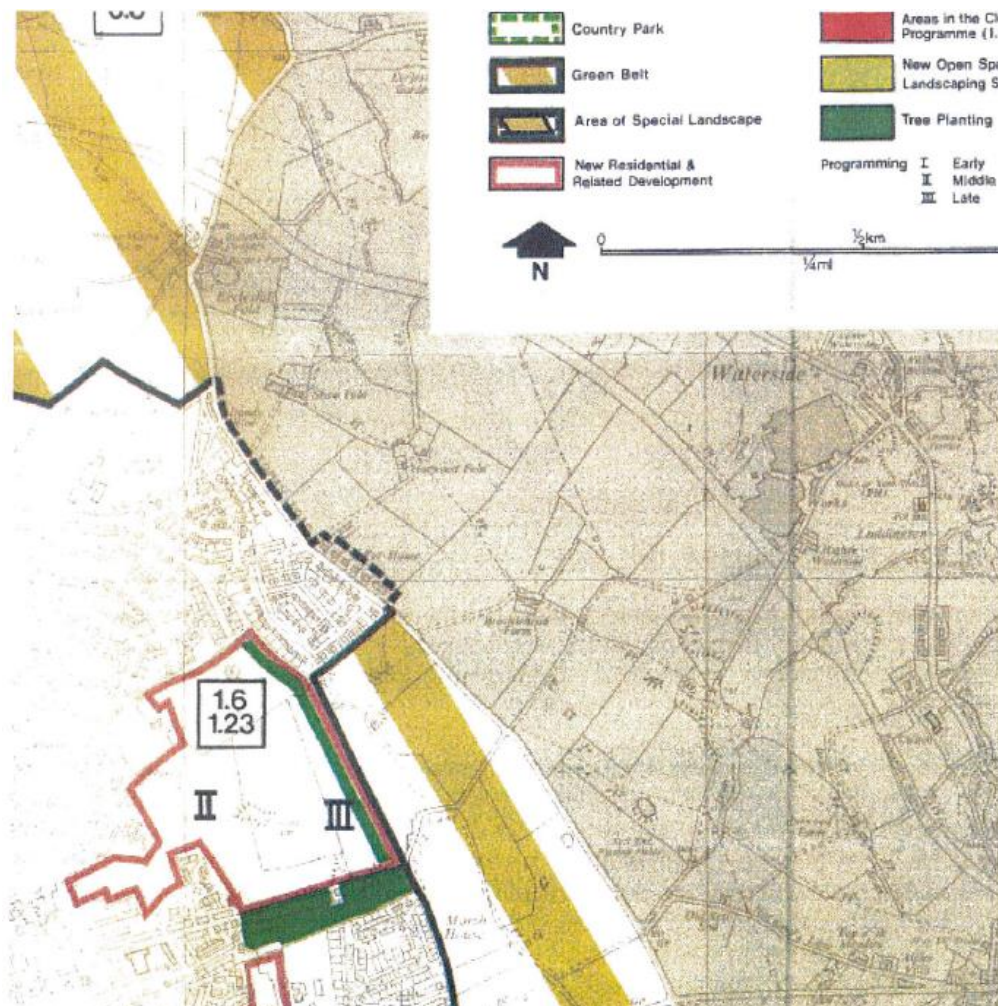
- Principle of the development;
- Amenity impact;
- Environmental impact;
- Highways and access;

- Design and layout;
- Planning gain / Section 106 contributions: Affordable Housing; Education & Highways.

3.5.3 Principle

For the purpose of this assessment, it is important to set the background to the current local plan allocation of the site.

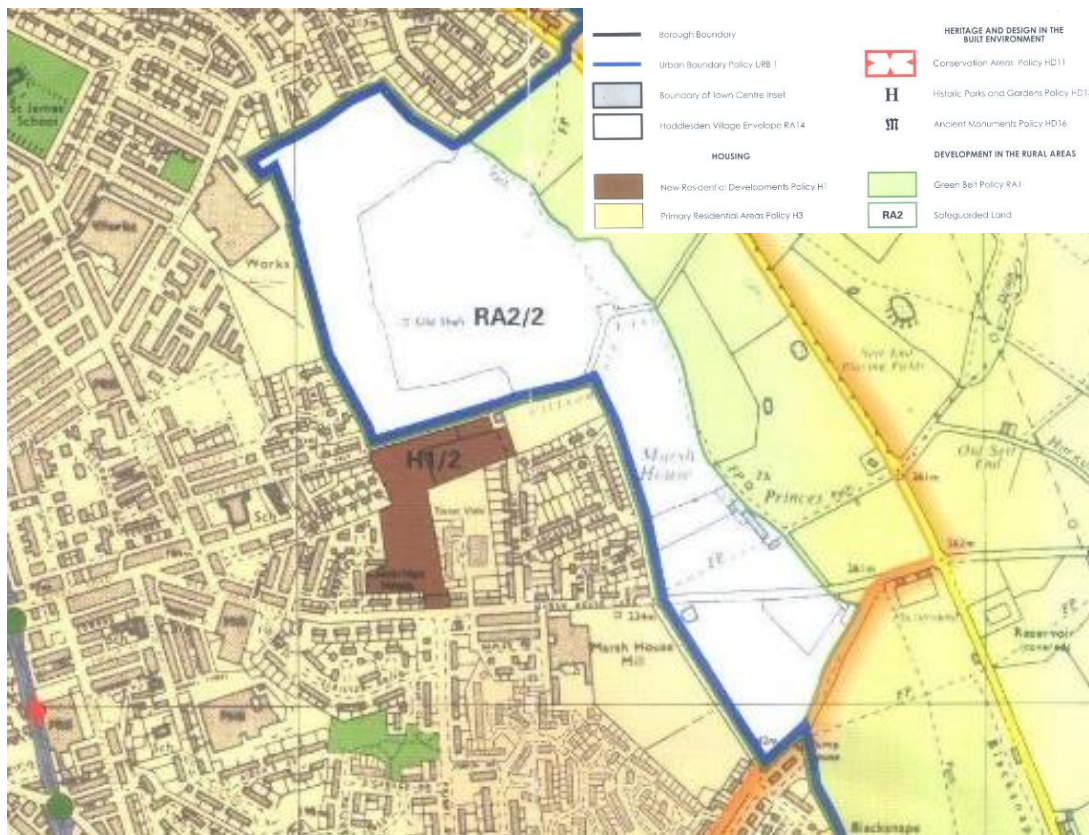
3.5.4 The Darwen District Plan which was adopted in December 1983, was the statutory Local Plan for Darwen for the period up to 1991. The extract below confirms that a significant portion of the application site (the northern section shaded white and outlined in red) was allocated for 'New Residential & Related Development', under Policies 1.6 and 1.23. Indeed, the appendix to this local plan showed a schedule of sites available for residential development going back to 1976, including the northern section.



Extracted from Darwen District Plan, December 1983.

3.5.5 Under Policy RA2/2 of the Local Plan 2002, the northern section of the site was included as 'Safeguarded Land' for future housing development. In addition, land to the east and north east was removed from the Green Belt and consequently also became allocated as safeguarded land for the same purpose. The current site is within this historic allocation and within an area

formally allocated for housing (Ref. H1/2). The extracted site allocations map below, from the 2002 Local Plan, confirms this to be the case.



Extracted from BWD Local Plan, 2002.

- 3.5.6 In safeguarding this site, the Council's objective was to balance the landscape quality surrounding Darwen with the need to protect the longer term housing delivery interests of the town. Policies RA2 and H1/2 were subsequently 'saved' pending adoption of the current Local Plan Part 2 in 2015, when the site became a housing allocation.
- 3.5.7 It is evident from the historic and current local plan information that much of the application site has been earmarked for housing for up to 45 years.
- 3.5.8 Adoption of the current Local Plan Part 2 followed a detailed, evidenced based examination process during 2014 – 2015 (examination hearing was held between 2nd and 11th December 2014), including analysis of land to be allocated to meet the Borough's housing requirements up to 2026, and also land to be protected. This process concluded that the site (Baileys Field) was a sound housing land allocation. This is confirmed in the Planning Inspectors report dated 26th October 2015, as follows:

16/14 East Darwen

139. This is a large site to the eastern side of Darwen, which is also referred to as Ellison Fold or Bailey's Field. It lies adjacent to residential development but opens out to open countryside to the

east. Part of the site is identified as being necessary to support development of the East Darwen Link Road / Darwen East Distributor Corridor.

- 140. Very considerable levels of concern were raised regarding the development of this site, which appears to be regarded as a public open space by many local residents, and I have taken into account the 'Protect Bailey's Field Petition', which was endorsed by the local MP. Much evidence was presented regarding the use of the land and footpaths reported to cross it, although it was accepted that many of these were not formally adopted or recorded as PROWs. Furthermore, it was confirmed at the Hearings that the land had been safeguarded under a previous plan for housing and most is in private ownership, with a small part of the area to the south being in Council ownership.*
- 141. I appreciate the concern of local residents who would appear to have had access to this land. It was suggested that I could consider removing the land from housing allocations and allocating it as open space or similar. However, my role is to consider the soundness of the allocations promoted by the Council. In this case, there is a process that could have been followed to seek to identify this site as a Town or Village Green or to have sought adoption of footpaths as PROWs. Furthermore, I had clear evidence presented at the Hearings identifying the landowner's commitment to development of the land and ongoing work to complete a Masterplan to aid delivery. The Council also reports active developer interest.*
- 142. I appreciate also that there are challenges in developing this site due to its sloping topography and historic mining features. Nonetheless, this is insufficient to suggest that its allocation is unsound. Key development considerations are set out in the policy to address matters including geo-technical studies, maintenance of footpath links and the relationship with the open countryside and Green Belt.*
- 143. Accordingly, subject to a main modification to address both the overall delivery and the delivery within five years, responding to the reduced figure of 35 dpa (MM27), I consider this element of the policy is sound.*

3.5.9 It is, therefore, evident that, as well as the site having long been safeguarded for housing lead development, its current formal allocated status followed a robust examination which took into account of local resident representations as well as Darwen's strategic housing needs.

3.5.10 The principle of the development is considered under the Blackburn with Darwen Core Strategy (particularly Policies CS1 and CS5) and Local Plan

Part 2: Site Allocations and Development Management Policies (particularly Policy 16 – Housing Land Allocations).

- 3.5.11 Core Strategy Policy CS1 explains that the overall planning strategy for the Borough is one of 'Targeted Growth' and identifies a need for '*a limited number of small scale urban extensions*'.
- 3.5.12 Policy CS5 directs that the preferred location for new housing, where market conditions permit its delivery, will be the inner urban areas of Blackburn and Darwen.
- 3.5.13 Policy CS7 encourages the development of a full range of new housing over the life of the Core Strategy in order to widen the choice available in the local market.
- 3.5.14 Policy 1 of the Local Plan states that the defined Urban Area is to be the preferred location for new development. Development in the Urban Area will be granted planning permission where it complies with the other policies of this Local Plan and the Core Strategy. The site is located within the urban area boundary defined on the proposals map.
- 3.5.15 Policy 7 on Sustainable and Viable Development echoes the presumption in favour of sustainable development set out in The Framework. Thus, applications that accord with policies in the Local Plan will be approved without delay unless material considerations indicate otherwise.
- 3.5.16 Policy 16 allocates the land for housing development within the 15-year life of the Local Plan, subject to key development principles. This proposal represents residential development of a significant scale of Housing Land Allocation, Site 16/14 – the East Darwen Development Corridor. The principle of housing at the site must be considered in the context of the housing allocation. The policy establishes the allocation area as 24.9 hectares and it estimates housing delivery in the region of 350 by 2026, of which 105 are expected to be delivered by March 2019. Housing development is also expected to continue beyond 2026.
- 3.5.17 Key development considerations are as follows:
1. *This site is to be brought forward in line with a masterplan to be produced covering the unshaded portion of the allocation as illustrated on this location plan. The masterplan must be agreed by the Council prior to the granting of planning permission for any part of the unshaded area.*
 2. *SuDS to ensure runoff is managed carefully to ensure it does not contribute to flooding elsewhere (located in the Darwen Critical Drainage Area).*
 3. *Detailed geo-technical studies to show the extent of the areas affected by historic mining activity in the area. Also completion of appropriate ground investigation works to establish the extent of*

any ground contamination and whether any mitigation measures are required.

- 4. Access to be provided from the north via Ivinson Road, from the south via Marsh House Lane.*
- 5. Need for vehicular link through the site to avoid adding to traffic through the town centre and assist in meeting highways objective (Darwen East Distributor Corridor).*
- 6. Careful consideration needs to be given to the eastern fringe of the site where it relates to the open countryside and Green Belt – ensure a defensible boundary is established.*
- 7. Retention and enhancement of the public right of way.*
- 8. Make land available for a new single form entry primary school with potential to expand for Darwen and contribution towards its construction.*

3.5.18 Key considerations 2, 3, 6, 7 and 8 are considered in detail under the relevant bespoke policies and Section 106 requirements later in the report. With reference to key consideration 1, the submitted layout represents the requisite 'masterplan'. Due to the size of the allocation and number of homes it will yield, the purpose of a masterplan was to ensure cohesive, non-piecemeal development if undertaken by multiple builders. In the event, as a single builder (the applicant) is to develop the overwhelming majority of the allocation, the submitted layout(s) is considered as a masterplan demonstrating the ethos of an intended cohesive development.

3.5.19 With reference to the consideration of 4 and 5 above, planning permission was granted on 17th August 2017 for the construction of a new road linking Ivinson Road with March House Lane (Ref. 10.17/0638). The Council secured £2.5m of Local Growth funding from the Lancashire Enterprise Partnership to deliver the infrastructure. The road was completed in March 2019 and was named Ellison Fold Way.

3.5.20 The Core Strategy sets out a requirement for highway improvements due to congestion problems arising from commuter traffic into and out of Darwen Town Centre. LPP2 further recognises the need for improvements due to pressures arising from new development and to unlock areas for further development. Ellison Fold Way was delivered for this specific purpose, under Policy 45 (Major Road Schemes). The route of the road is identified on the Adopted Policies Map of LPP2.

3.5.21 Local Plan Part 2 Policy 18 further encourages a range of new housing to widen the choice of house types, with an emphasis on detached and semi-detached to be the principal element of the dwelling mix on any site that is capable of accommodating such housing, and where such housing would make a positive contribution to the character of the local area. The submitted layout and house types demonstrate a housing mix consistent with the Council's aspirations.

3.5.22 Policies CS21 and 12 require new development to contribute towards mitigating its impact on infrastructure and services, through a Section 106

planning obligation. The proposal secures financial contributions towards highway improvements, sustainable transport initiatives, Green Infrastructure and education provision, as set out at paragraph 4.1. The requisite 20% Affordable Housing is to be delivered on site, negating the need for its inclusion within the obligation

3.5.23 A Minerals Resource Assessment has been submitted and reviewed, on account of the application site being located within a defined Mineral Safeguarding Area (MSA), designated as such by Policy M2 of the Lancashire Minerals and Waste Local Plan.

3.5.24 The assessment recognises the purpose of designating MSA is not to restrict the rights of the land owner but to ensure that due consideration is given to the potential sterilisation of the mineral resource if an application for alternative development is brought forward. Furthermore, a MSA does not imply any presumption that mineral working will be permitted.

3.5.25 Paragraph 204 of The Framework requires Mineral Planning Authorities of specific mineral resources of local or national importance are not needlessly sterilised by non-mineral development, albeit that these carry no presumption the resource will be worked.

3.5.26 Inevitably, the assessment establishes the primary resource present at the site to be shallow coal deposits. A desk study and intrusive investigations have confirmed the presence of shallow mine workings below the site where the underlying shallow coal has already been extracted. Based upon this information the development of the site is not considered to sterilise any potential minerals of economic value as these have already been extracted by historical mining. No further deposits of significant value have been identified within the site.

3.5.27 It is, therefore, considered that the proposed development will not impact or lead to the sterilisation of mineral deposits of economic value so as to prevent support of the application.

3.5.28 Accordingly, as a proposal delivering 343 homes of an appropriate mix, of which 20% will be affordable, on an allocated housing site, with assured and policy compliant s106 contributions, the principle of the proposed development is found to be acceptable, in accordance with the provisions of the Development Plan and The Framework.

3.5.29 Notwithstanding the above, the volume of public objections received against the principle of developing the site for housing should be addressed. Many objections cite a desire for the land to remain as publicly assessable open grassland. Indeed many comments refer to the land as 'parkland'. Members are advised that the statutory housing allocation afforded by the Local Plan is paramount and that no circumstances arising since, including cited health and wellbeing benefits associated with the land in response to the pandemic, supersede this position.

3.5.30 The extent of connected open space to be provided within the scheme should be acknowledged in this context. Pockets of open space are included within the built up area and a large expanse is included to the east, immediately adjacent to open countryside which sits outside the application site and which is protected as Green Belt under the Local Plan. Blacksnape Playing Fields are also located a short distance away, which include a play space that will be significantly enhanced through Section 106 monies, as discussed later in the report. Opportunities for walking cycling and play remain, therefore, within the immediate locality. The community also benefit from access to parks within Darwen, which are protected under the Local Plan, such as Sunnyhurst, Bold Venture and Whitehall.

3.5.31 Whilst it is acknowledged that the private land has been valued by the community as accessible open space, it is also an important site to provide much-needed new family homes for Darwen, as evidenced in the current (and previous) adopted Local Plans. The new homes, including new affordable homes, are a key part of ensuring there is an adequate supply of quality homes in the interests of the community.

3.5.32 Members are advised that refusal of the application for the sole reason that the land should be put to an alternative use than housing would be entirely contrary to the Local Plan. This would inevitably lead to challenge through the appeal process and would leave the Council heavily exposed to the threat of an award of costs for unreasonable behaviour.

3.5.33 Amenity

Policy 8 requires a satisfactory level of amenity and safety is secured for surrounding uses and for occupants or users of the development itself; with reference to noise, vibration, odour, light, dust, other pollution or nuisance, privacy / overlooking, and the relationship between buildings.

3.5.34 Coal Mining Risk:

As previously noted, the site is a former colliery. Detailed geo-technical studies have, therefore, been undertaken to evidence the extent of the areas affected by historic coal mining activity in the area. This includes a Coal Mining Risk Assessment. Consequently, the Coal Authority (CA) are a crucial consultee on the application. Having reviewed initial information, the CA objected to the application on the basis that the submitted information did not satisfactorily demonstrate that the proposed layout would avoid the recorded mine entries and the stand-off distances from the shaft caps as specified in the supporting Geo-environmental Investigation Report.

3.5.35 Additional information was subsequently submitted detailing mine shaft capping methodology and calculations for the eight on-site recorded shafts, as well as proposed mine cap positions in the context of the proposed development, which confirmed that none of the shafts or their caps will be present under proposed buildings. Following a review of this information, the CA maintained their objection for reasons of failure to adequately demonstrate that the proposed buildings will be sited clear of the shaft cap / building stand-off distance specified in the Geo-environmental Investigation Report (5.0m

from the external edge of the structural shaft capping). Confirmation that the position of shaft 003 - as shown on the submitted Mine Shaft Capping Detail (370422-003) (Drawing No. 19178/09-03) – representing the actual position of the shaft was also required.

3.5.36 Additional information was submitted in response to the continued objection and was subsequently reviewed by the CA. In recognising that all mine shafts identified within the site will be subject to a program of stabilisation works and surface treatment to remove any potential hazardous instability, as well as confirmation that buildings have been arranged in a manner that avoids the identified mineshafts and the extent of their proposed caps, the CA withdrew their objection.

3.5.37 Accordingly, the CA are satisfied that the proposed layout of development has been appropriately informed by the presence of former coal mining features and that the development is safe to proceed. As recommended by the CA, implementation of remedial stabilisation works to address land instability arising from mine entries and unrecorded shallow coal mining legacy shall be secured via an appropriately worded condition. Verification of the necessary works, by way of a signed statement or declaration prepared by the suitably competent person shall also be secured via condition. The CA also requires the applicant to obtain permission (from the CA Permit and Licensing Team) before undertaking any activity, such as ground investigation and ground works which may disturb Coal Authority property, i.e. coal mine workings and mine entries.

3.5.38 The above assessment demonstrates due diligence towards historic coal mining legacy, in response to *key consideration 3* and local residents concerns expressed towards the suitability of the site for housing.

3.5.39 Contaminated Land:

A detailed geo-environmental assessment is also required to guard future residents against ground gas / contamination. Site investigations in this regard are ongoing and will inform a detailed remediation strategy for the site. Accordingly, the Council's Public Protection consultee recommends application of standard contaminated land conditions (*key consideration 3*).

3.5.40 Noise:

A Noise Assessment is submitted with the application which considers likely noise impacts arising from traffic using Ellison Fold Way. No significant noise impacts are identified. Residents living closest to Ellison Fold Way will be adequately safeguarded from highway noise by means of double glazing (4/16/4) and mechanical ventilation.

3.5.41 Air Quality:

An Air Quality Impact is submitted with the application which considers impacts arising from both construction phase and operational phase of the development. The report indicates a predicted adverse health cost of circa £216,000. In the interests of mitigation and in accordance with the BwDBC

Air Quality PAN, the Section 106 contribution includes (but is not limited to) subsidised public transport, traffic calming and improved pedestrian routes.

3.5.42 The developer has also agreed to provision of Electric Vehicle Charging points at each dwelling with a garage or in curtilage parking. Provision will be secured via condition.

3.5.43 Relationship between buildings:

With reference to separation between proposed and existing dwellings adjacent to the site, the submitted layout(s) demonstrate compliance with the Council's adopted *minimum* separation standards of 21m interface between primary windows and 13.5m between primary windows and blank elevations.

3.5.44 Separation between proposed dwellings is broadly compliant with the adopted standards. Only a minor discrepancy between a small number of plots occurs. In this context, It should also be recognised that the Residential Design Guide SPD, at Policy RES 2G, supports a relaxation of the adopted standards where an alternative approach is justified. The site constraints and resultant viability challenges are considered circumstances that justify a minor relaxation.

3.5.45 Assessment of separation has taken account of the varied land levels across the site.

3.5.46 Accordingly, living conditions for existing and future residents will be safeguarded, ensuring adequate daylight / sunlight admissions, outlook and privacy levels.

3.5.47 Construction Phase:

A Construction and Environmental Management Plan (CEMP) is submitted with the application which will guard against significant adverse impacts arising during construction, including but not limited to control of noise, vibration, dust emissions and highway cleansing / wheels washing. Its implementation will be secured via condition.

3.5.48 Limited construction hours of between 08:00 - 18:00 hours Monday to Friday and 09:00 - 13:00 on Saturdays will also be secured via condition.

3.5.49 Accordingly, the development is found to appropriately safeguard public amenity, in accordance with the requirements of Policy 8 and The Framework.

3.5.50 Environment

Policy 9 requires that development will not have an unacceptable impact on environmental assets or interests, including but limited to climate change (including flood risk), green infrastructure, habitats, species, water quality and resources, trees and the efficient use of land.

3.5.51 Flood Risk / Drainage:

A Flood Risk Assessment (FRA) and drainage strategy is submitted with the application, due to the scale of the proposal, notwithstanding that the site lies entirely within Flood Zone 1 (low risk) and the presence of water courses. No

objection is offered as to adequacy of the FRA or the drainage strategy from either the Council's Drainage consultee (as Local Lead Flood Authority), United Utilities or The Environment Agency.

3.5.52 The FRA identifies that a restricted discharge rate will generate a storage requirement and that it would be beneficial to implement SuDS where feasible. Attenuation ponds are incorporated into the layout at the south western corner of site one. The design of the attenuation will ensure there is no flooding in the 30-year event and no flooding to property in the 100-year event with a 40% allowance for future climate change. Surface water run-off will, therefore, be appropriately managed, ensuring that it does not contribute to flooding elsewhere, included the Darwen Critical Drainage Area (*key consideration 2*).

3.5.53 Implementation of the FRA and drainage strategy will be secured via condition.

3.5.54 A future drainage Management and Maintenance Plan will be secured via condition.

3.5.55 The EA recommend a remediation strategy and verification of its implementation are secured via conditions, in order to manage the risks posed to controlled waters.

3.5.56 Ecology:

An Ecological Appraisal is submitted with the application. The Council's consultee has reviewed the appraisal and offers no objection, recognising that the development will not affect designated nature conservation interests, and that the site does not support any protected species. Moreover, the existing level of disturbance limits ground nesting opportunities.

3.5.57 Although the development will result in the loss of significant areas of open grassland, mosaic habitats and scattered trees, the layout demonstrates substantive and meaningful areas of greenspace with proposed new landscaping in these areas. The areas of greenspace (and the proposed SuDs features) represent opportunities for the creation and management of new habitats on the site, perhaps smaller in size than the open grassland to be lost to the scheme, but qualitatively better for landscape and wildlife. Implementation of the proposed landscaping scheme will, therefore, achieve significant ecological and biodiversity benefit.

3.5.58 Trees:

An Arboricultural Impact Assessment and Tree Survey is submitted with the application. Tree removal is considered in the context of the sites housing allocation. The assessment indicates the removal of mostly low grade trees to facilitate the development. There are three A category trees to be removed and five individual and part groups of B category to be removed that are mostly non-native Sycamore. The loss of trees will, however, be adequately mitigated through introduction of a comprehensive soft landscaping scheme featuring an appropriate mix of native and non-native trees, shrubs and

hedgerows. A total of 421 'Heavy Standard' trees will be planted across the site.

3.5.59 Accordingly, the environmental impact of the development is found to be acceptable and in accordance with the requirements of Policies 9 and 40, and The Framework.

3.5.60 Highways / Access and Transport

Policy 10 requires that road safety and the safe and efficient and convenient movement of all highway users is not prejudiced and that appropriate provision is made for off street servicing and parking in accordance with the Council's adopted standards.

3.5.61 A detailed Transport Assessment (TA) is submitted with the application which has been reviewed by the Council's Transport Planner. The review confirms that the TA covers the requisite scope of assessment and offers support for the proposal, in acknowledgement that no significant impacts will arise from trip generation / incremental traffic growth, as well as access and junction capacity's. Construction of Ellison Fold Way heavily influences acceptability from a highway safety and efficiency perspective.

3.5.62 Access to the site will be from three junctions to the east of Ellison Fold Way, provided at the time of its construction. The internal road layout features a central loop collector road and a series of cul-de-sacs. A defined street hierarchy is demonstrated. Vehicular links to the wider locale are via Ellison Fold Way. Pedestrian and cycle links appropriately connect the site internally and beyond, including open countryside to east. This reinforces the sustainable travel ethos incorporated into Ellison Fold Way by means of a cycle lane along its entire eastern length.

3.5.63 Road formations, widths, and footway provision throughout the site is deemed acceptable, as are sightlines at the Ellison Fold Way junctions. A Swept Path Analysis demonstrates acceptable turning widths of amorphous and hammer head cul-de-sac terminations, to accommodate refuse vehicles.

3.5.64 The challenging topography dictates road gradients of 1:12. Desired lesser gradients of circa 1:20 are accepted as unachievable due to the requirement of costly and visually unappealing retaining structures across the site.

3.5.65 Off-street parking is provided at every property, which is broadly in accordance with the Council's adopted standards; 2 spaces for 2/3 bed units and 3 spaces for 4+ bedroom properties in terms of spaces numbers and their dimensions.

3.5.66 Three house types have integral garages, two of which (Millrig & Grassmoor) achieve the benchmark standard 6m x 3m dimension, amounting to over 50% of all garages. The remaining house type (Chatham) is sub-standard at 2.55m x 5.4m. Considered in the context of the sites acknowledged viability challenges and The Framework's presumption in favour of sustainable

development, the overall proposed parking provision is considered acceptable in order to secure the development of the site.

3.5.67 The sites sustainable location should also be recognised in the assessment, in terms of accessibility to a range of local shops, services and other facilities, as well as public transport connections.

3.5.68 A Section 106 financial contribution is secured towards completion of the Darwen East Development Corridor highway improvement works, sustainable transport initiatives including (but not limited to) subsidised public transport, traffic calming and improved pedestrian routes.

3.5.69 The site is crossed by two PROW's - FP215 and FP241. It is proposed that FP241 is diverted to a different line, as indicated on the submitted Footpath Diversion plan. Whilst all defined footpaths will be retained and enhanced (*key consideration 7*), they will require temporary closures throughout the duration site preparation and construction of the development. An application for temporary closure and diversion will be required. Although the applicant is aware, this will be further conveyed via the Council's standard informative on the decision notice.

3.5.70 The submitted CEMP and accompanying drawing will address highway impacts arising from construction, including wheel wash and road cleansing during phases 1 to 3. Adherence will be secured via condition. An additional CEMP drawing will be secured via condition to deal with the remaining phases of construction.

3.5.71 The Council's Highways and PROW consultee's are supportive of the proposal. Accordingly, highway impacts arising from the development are found to be acceptable and in accordance with Policy 10 and The Framework.

3.5.72 Design / Character and Appearance

Policy 11 requires a good standard of design and will be expected to enhance and reinforce the established character of the locality and demonstrate an understanding of the wider context towards making a positive contribution to the local area. This includes enhance and reinforcing the established character of a locality. Key aspects of character which must be taken into account are the following:

- i) Existing topography, buildings and landscape features and their integration into the development;
- ii) Layout and building orientation to make best use of existing connections, landmarks and views;
- iii) Building shapes, plot and block sizes, styles colours and materials that contribute to the character of streets and use these to complement character;
- iv) Height and building line of the established area;
- v) Relationship of the buildings to the street; and
- vi) Frontage treatment such as boundary walls.

3.5.73 A Design and Access Statement is submitted with application. This sets out key design principles, in response policy requirements, including the following:

- The layout has been designed to provide a sense of arrival into the site from Ellison Fold Way, a liner park along the length of western site boundary provides a visual separation of the development from Ellison Fold Way. The access roads lead to primary loop roads within the site providing access to the “streets” forming a grid layout to the site that replicates local urban forms. The layout also allows the site topography to be incorporated into the scheme.
- Continuous frontages are proposed to provide a high degree of definition to the street scene and will rise and fall with the site gradients. The frontages will allow views out onto the open countryside beyond.
- The existing residential properties located to the west of Ellison Fold Way, to the north of the site and to the south are respected in terms of scale, separation distances and overlooking.
- Feature buildings will be located at primary points and vistas to create a sense of arrival. The use of dual aspect units will help frame nodes/ junctions to allow a continuity to the street scene.
- Housing will be primarily two storeys in height and reflect the style of surrounding residential areas though some 2.5 storey and 1.5 storey units are proposed to give variation to the street scene.
- To provide a positive mix of buildings and soft landscaped areas within the site with streets softened with road trees and planting.
- Individual residential units to receive appropriate landscaping treatments to soften the edges of residential areas and public highways.
- The existing hedgerows and trees to the boundaries will be retained wherever possible.
- Existing landscape features will be enhanced with further green spaces to be provided to the western and eastern perimeter of the site with new “green” corridors formed through the site for wildlife. These green corridors will follow the existing public rights of way and provide an attractive route through the site and allow the existing link between Ellison Fold Way and the original Ellison Fold Lane to be retained.
- The “green” corridors together with the liner park at the entrance will provide high quality public open spaces on the site.
- Houses are orientated wherever possible to view out of the site to allow views over onto the Darwen Moors or the open countryside to the east. This also allows overlooking to the public spaces providing “eyes” onto the street giving natural surveillance to public areas.

3.5.74 The layout demonstrates a well-planned network of streets and connected green spaces to assist assimilation and enhance the sites ecological value, as well as well-designed and appropriately orientated buildings that face the public realm, ensuring natural surveillance. An extensive green buffer to the

eastern fringe of the site is an important feature, offering functional amenity space as well as a defensible boundary and focal transition into open countryside / Green Belt beyond (*key consideration 6*).

3.5.75 As previously noted, high quality landscaping features throughout the layout, including 421 new trees, hedgerows and shrubs. Implementation of the landscaping scheme will be secured via condition, as will a maintenance and management plan for the site post construction, to ensure satisfactory appearance of the site is continuous.

3.5.76 Careful consideration has been applied towards the site topography. The site rises from Ellison Fold Way (at 199.5mAOD) towards the eastern boundary of the site (at 226mAOD). Consequently, there is a requirement to re-grade certain areas to allow the access road in the site to be constructed. Further regrading of the site will ensure that the dwellings are provided with adequate gardens and levels.

3.5.77 Retaining structures are necessary either to the side or the rear of some properties in order to achieve suitable levels for the garden areas. The height and location of these retained structures will vary throughout the site but they are generally kept to a minimum.

3.5.78 The use of the topography minimises the impact of the new development on the surrounding area, with housing utilising the existing gradients wherever possible.

3.5.79 House types are of a scale and appearance commensurate with local residential development, varying between 1.5, 2 and 2.5 storey high, consisting mainly of a family sized mix of 3 and 4 bed. 11no. 2 bed are also proposed. Elevations will be in 'buff' and 'buff black' stone with elements of render. Roofs will be slate grey concrete tiles. Materials will be secured via condition. Example street scenes are shown below:





Extracted from Design & Access Statement – McDermott Homes, May 2021.

3.5.80 Elevation details of boundary treatments have been provided, alongside a detailed layout to illustrate treatments for each part of the site. Treatments fronting public open spaces and at key vistas will be suitably robust, constructed in stone with timber infill. Timber boarded fencing will be provided between and to the rear of properties.

3.5.81 Overall, the design of the development is found to be in accordance with Policy 11 and The Framework.

3.5.82 Heritage

Policy 39 requires development with the potential to affect designated or non-designated heritage assets to sustain or enhance the significance of the asset.

3.5.83 In response to comments received from LCC Archaeology, the diverted route of the FP241 avoids the former farmstead known as Ellison Fold Lay which is recognised as a non-designated heritage asset.

3.5.84 Affordable Housing

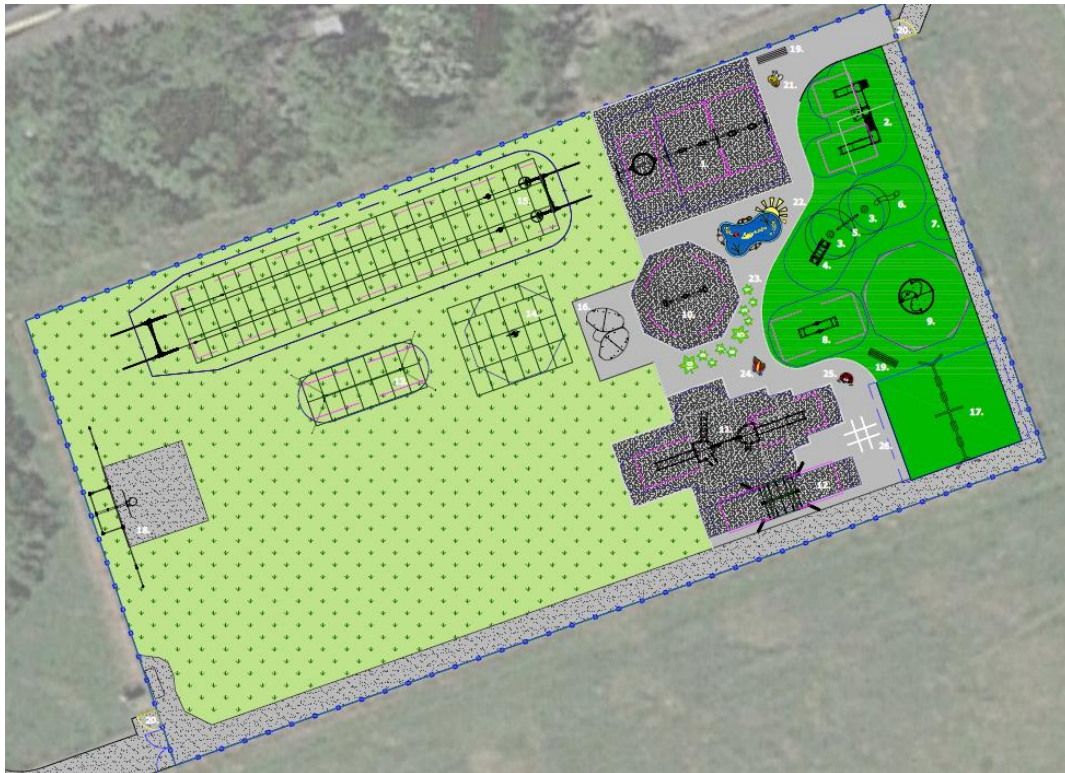
3.5.85 The proposal will deliver 20% affordable on site housing (totalling 67 homes) of mixed tenure types, for people on low incomes who are on the affordable housing register. This is in accordance with Policies 12 & CS8 and The Framework. An Affordable Housing Statement is submitted with the application which sets out the affordable schedule and secures the availability of homes as affordable in perpetuity, with a caveat allowing householders to 'staircase' to full ownership. Its implementation will be secured via condition.

3.5.86 Planning Gain / Section 106 Financial Contributions

A financial contribution £642,500 is secured towards completion of the Darwen East Development Corridor highway improvement works, sustainable transport initiatives including (but not limited to) subsidised public transport, traffic calming and improved pedestrian routes.

3.5.87 The proposed development has been assessed against existing education provision within the locality. Following consultation at pre-application stage with the Council's Education Department, it is evident that additional provision will be required. Accordingly, a financial contribution of £742,500 is secured towards the provision of primary school places in East Darwen, by extending St Peter's Church of England Primary School, Turncroft Rd, Darwen (*key consideration 8*).

3.5.88 A financial contribution towards Green Infrastructure of £100,000 is also secured towards improvements to the Blacksnap Children's Play Area. The following indicative design proposal is provided by the Council's Director of Place:



PRODUCT KEY			
	Synthetic Carpet		Existing Fence
	Grass		Wetpour
	New Tarmac		Grassmat
	Free Fall		Existing Tarmac
	New PCC Edge		Free Space

3.5.89 S106 payments are to be phased as follows:

Payment Triggers	Green Infrastructure	Highways	Education	Monitoring Fee	Total
Commencement	£100,000	£197,000		£3,000	£300,000
1 year after commencement		£297,000		£3,000	£300,000
2 years after commencement		£148,500	£148,500	£3,000	£300,000
3 years after commencement			£297,000	£3,000	£300,000
4 years after commencement			£297,000	£3,000	£300,000
Totals	£100,000	£642,500	£742,500	£15,000	£1,500,000

The clawback period for unspent sums should be 5 years.

3.5.90 Following consultation at application stage, the East Lancashire NHS Trust has requested a financial contribution of £585,333.00 for additional health care provision that is claimed will arise from the development, based on a population increase of 789 (assuming an average 2.3 people per dwelling) (refer to paragraph 6.16.).

3.5.91 Members are advised that the submitted evidence to justify the requested contribution (for NHS short-fall funding) is considered insufficient to implement a consistent and justified planning obligation which meets the statutory tests, 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.

3.5.92 It is considered that there are fundamental issues which are not addressed by the Trust in the consultation response. Furthermore, the Trust have failed to suitably demonstrate what level of demand the development would create for their services, and that the demand is not something that is covered by their existing / committed funding arrangements. The evidence provided, therefore, does not allow for a before and after comparison to be made and so any potential impacts cannot be determined.

3.5.93 Therefore, based on the submitted information, it is considered that insufficient evidence has been provided to demonstrate an unacceptable impact which might be lawfully recovered via a s106 contribution; a position supported by QC advice issued recently to the Council on the general principle of such contributions.

3.5.94 In this context, it should be recognised that the Council is working 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 infrastructure requirements will be considered as part of the Local Plan process and via our Duty to Co-operate to ensure the Borough continues to plan for the necessary infrastructure which is needed to support sustainable housing and employment growth.

3.9.95 Sport England has also requested a financial contribution, of £521,449 for indoor and outdoor sports improvements it is claimed will arise from the development (refer to paragraph 6.15).

3.5.96 Pre-application dialogue between the LPA and the applicant did not, however, highlight the need for any additional playing facilities either on site or within the vicinity, notwithstanding the absence of Sport England involvement at that stage, as a non-statutory consultee. Moreover, the proposed development does not affect any existing playing fields or land allocated for future use as such in the adopted Local Plan.

3.5.97 It should also be recognised that the Council is currently in the process of updating its playing field strategy, in consultation with Sport England. This strategic review will focus on emerging evidence to underpin an eventual adopted strategy.

3.5.98 The applicant has submitted a rebuttal to these additional contributions, asserting that they would render the development to be no longer viable when considered with the significant abnormal costs associated with site remediation arising from historic coal mining and the agreed s106 contributions.

3.5.99 The level of information available is considered proportionate to allow the Council to make a judgement that any further contributions would cause the development to be unviable.

3.5.100 The site has good access to open spaces and play areas / playing fields and significant spaces will be provided in the development site.

3.5.101 Members are, therefore, recommended to prioritise the £1.5m (s106 contribution) for primary school places, highway / sustainable transport improvements and Green Infrastructure.

3.5.102 Other Matters

An application to nominate the site and additional land to the north (privately owned site by Landeer Investments Ltd (Site One)) as an 'Asset of Community Value' (ACV) has been submitted by The Ellison Fold Parkland Association on the 26th March 2021, as a Community Interest Company (CIC) (ref: BL\2021\ENQ\09320). The nomination was accepted as valid on 26th March 2021. The application was determined on the 12th May 2021, and Members are advised the nomination was unsuccessful. Members are advised that the unsuccessful ACV nomination is non-material to the assessment and determination of this planning application.

3.5.103 Summary

This report assesses the Full planning application for residential development of 343 dwellings, with associated works including car parking, landscaping and open space. In considering the proposal, a wide range of material considerations have been taken into account.

3.5.104 The assessment demonstrates that the planning decision must be made in the context of assessing the merits of the proposal balanced against any potential harm that may arise from its implementation. This report finds that the proposal meets the policy requirements of the Blackburn with Darwen Core Strategy, Local Plan Part 2, adopted Supplementary Planning Documents and the National Planning Policy Framework.

4.0 RECOMMENDATION

4.1 Approve subject to:

- (i) **Delegated authority is given to the Strategic Director of Place to approve planning permission, subject to an agreement under Section 106 of the Town & Country Planning Act 1990, relating to the payment of £1,500,000; plus a monitoring fee of £15,000. Payments to be phased as follows:**

Payment Triggers	Green Infrastructure	Highways	Education	Monitoring Fee	Total
Commencement	£100,000	£197,000		£3,000	£300,000
1 year after commencement		£297,000		£3,000	£300,000
2 years after commencement		£148,500	£148,500	£3,000	£300,000
3 years after commencement			£297,000	£3,000	£300,000
4 years after commencement			£297,000	£3,000	£300,000
Totals	£100,000	£642,500	£742,500	£15,000	£1,500,000

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

- (ii) The following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this planning permission.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposal received 7th October 2020 and with the following drawings / plans / information: (to be added).

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. The exterior of the dwellings hereby approved shall be constructed in strict accordance with the materials specified in the submitted Design & Access

Statement produced by McDermott Homes, dated 6th May 2021, Rev A, the submitted House Type drawings and corresponding 'Materials Layout' drawings numbered L100-ML-01 (Site One) and L100-ML-02 (Site Two).

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.

4. The development hereby approved shall be implemented in strict accordance with the boundary treatments specified in elevation drawings numbered SD-SW2c and SD-F1, and the corresponding boundary treatments layout drawing number L100-BT-01b (Site One) and L100-BT-02a (Site Two).

REASON: To safeguard residential amenity and to ensure the external appearance of development is acceptable, in accordance with Policies 8 and 11 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

5. Prior to the commencement of development on each phase of the proposed scheme of development, remedial stabilisation works to address land instability arising from mine entries and unrecorded shallow coal mining legacy within that part of the site shall be implemented in full in order to ensure that the site is made safe and stable for the development proposed.

The remedial works shall be carried out in strict accordance with authoritative UK guidance.

REASON: To ensure a safe form of development in response to historic coal activity at the site, in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

6. Prior to the occupation of each phase of the development a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity.

REASON: To ensure a safe form of development in response to historic coal activity at the site, in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council 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) 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) Findings of the approved site investigation work (where necessary), including an appropriate assessment of risks to both human health and the wider environment, including water courses, 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 and to prevent unacceptable levels of water pollution, in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

8. Prior to the occupation of the development hereby approved, 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 Council Local Plan Part 2.

9. Should contamination be encountered unexpectedly during redevelopment, all works should cease, and the LPA 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 adopted Blackburn with Darwen Borough Council Local Plan Part 2.

10. Each dwelling shall have its own dedicated electric vehicle charging point. Each charging point will have a type 2 conductor and minimum rating of 3.7kW 16A. External points will be weatherproof and have an internal switch to disconnect electrical power.

REASON: in the interests of air quality management and protection of health, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

11. Gas fired domestic heating boilers shall not emit more than 40mgNO_x/kWh.

REASON: In the interests of improving air quality and to protect the health of resident, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

12. The construction of the development hereby permitted shall only take place between the hours of 08:00 and 18:00 Monday to Friday, 09:00 to 13:00 on Saturdays and not at all on Sundays or Bank Holidays.

REASON: To protect the amenity of residents, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

13. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution, in accordance with the requirements of Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

14. The drainage for the development hereby approved, shall be carried out in accordance Flood Risk and Drainage Assessment Report Ref: 30445/SRG - Dated October 2020 which was prepared by Ironside Farrar Ltd. No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, in accordance with Policies 9 and 36 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

15. Prior to occupation of any of the dwellings hereby approved, a Surface Water Management and Maintenance Scheme shall be submitted to and approved by the Local Planning Authority. The scheme shall provide for:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker;
- b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components), including:
 - 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 approved scheme shall be adhered to in perpetuity.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, in accordance with Policies 9 and 36 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

16. Prior to commencement of any sub-structure works, a Surface Water Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in strict accordance with the approved details for the duration of construction works.

REASON: To ensure a safe form of development during construction that poses no unacceptable risk of flooding, pollution to water resources or human health, in accordance with Policy 9 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

17. Prior to the occupation of the development, 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 residential / highway safety in accordance with Policy 10 of the Blackburn With Darwen Borough Local Plan Part 2.

18. The development shall be carried out in strict accordance with the submitted Arboricultural Impact Assessment and Method Statement, prepared by TBA Landscape Architects, dated October 2020 (Rev B). Specified tree protection measures shall be adhered to throughout the period of construction.

REASON: Trees represent a public benefit by way of visual amenity and should therefore be protected at all times, in accordance with Policies 9 and 40 of the Blackburn with Darwen Borough Local Plan Part 2.

19. The development hereby approved shall be implemented in strict accordance with the 'Landscape Structure Plans' sheets 1, 2 & 3 scheme received 5th February 2021, produced by TBA Landscape Architects and numbered 6409.07 Rev C, 6409.08 Rev C and 6409.09 Rev C. Planting

shall be carried out during the first available planting season following completion of the works, and thereafter retained. Trees and shrubs dying or becoming diseased, removed, or being seriously damaged within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted during the first available planting season after the loss of the trees and / or shrubs.

REASON: To ensure that there is a well laid scheme of healthy trees and shrubs in the interests of visual amenity and biodiversity, in accordance with Policies 9, 11 and 40 of the Blackburn with Darwen Borough Local Plan Part 2.

20. Prior to occupation of the development hereby approved, a Landscape Management and Maintenance Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall cover all landscaped areas of public open space and it shall detail a programme of works including scheduled frequencies of weeding and watering for the duration of the development, as well as replacement planting of dead diseased or damaged trees and shrubs within a five year period from the implementation of the approved landscape scheme referenced in condition no. 23. The strategy shall be implemented in accordance with the approved detail.

REASON: To ensure that there is a well maintained scheme of healthy trees and shrubs in the interests of amenity in accordance with Policies 9, 11 and 40 of the Blackburn with Darwen Borough Local Plan Part 2.

21. Construction work shall take place in strict accordance with the details set out in the submitted Construction & Environmental Management Plan produced by McDermott Homes, dated 10th March 2021 and corresponding Phase 1-3 drawing numbered CMP-01. All measures which form part of the approved details shall be adhered to throughout the period of demolition and construction.

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, to protect the amenity of the occupiers of the adjacent properties and to protect the visual amenities of the locality, in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

22. Prior to the commencement of remaining phases of development, a phase drawing shall be submitted to and approved in writing by the Local Planning Authority identifying those remaining phases and locations of the following:

- sales areas;
- operative / contractor parking;
- site compounds;
- material stores and wheel washing points.

The approved detail shall be adhered to throughout construction of the identified remaining phase(s).

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, to protect the amenity of the occupiers of the adjacent properties and to protect the visual amenities of the locality, in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

23. Prior to the construction of any of the streets referred to in the previous condition, 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 Policy 10 of the Blackburn With Darwen Borough Local Plan Part 2.

24. Visibility splays within the site shall not at any time be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height greater than 1 metre above the crown level of the adjacent highway.

REASON: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

5.0 PLANNING HISTORY

Application Number	Description	Decision
10.79/2508	Residential Development	Refused 26-02-1980
10.89/0309	Residential Development	Withdrawn 12-06-1989
10.89/1086	43.5 acres of residential development	Approved 28-09-1989
10.92/1412	Extension of existing planning permission 10/89/1086 for residential development	Permit 25-08-1993

Extracted from Planning Support Statement – Pegasus Group, Feb 2021.

6.0 CONSULTATIONS

6.1 Drainage (BwD – Lead Local Flood Authority)

No objection, subject to conditions:

Prior to occupation of the development, 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.

6.2 Education

No response offered. Pre-application consultation did, however, establish a Section 106 requirement for additional education provision.

6.3 Environmental Services

No objection.

6.4 Public Protection

Contaminated land: No objection, subject to conditions;

With reference to the above application, I recommend that the following condition(s), informative(s) and/or comment(s) be included if planning permission is granted:

Condition 1

Prior to the commencement of construction works on site, the developer must submit to the Local Planning Authority (LPA) for written approval:

- i. A comprehensive desk study report, including a preliminary conceptual site model (CSM) in text, plan and cross-section form. Detailed proposals for subsequent site investigation based

on the CSM shall be included as appropriate; the developer will be advised whether any further site assessment is required.

ii. If required by the LPA, the findings of the approved site investigation work, including an appropriate assessment of risks to both human health and the wider environment, arising from contaminants in, on or under the land (including ground gas) will be submitted. Where unacceptable risks are identified an updated CSM, remedial options appraisal and detailed remediation scheme shall be presented for approval. No deviation shall be made from this scheme without the written express agreement of the LPA.

Condition 2

Prior to the commencement of the permitted use, the developer must submit a comprehensive validation report to the LPA for written approval. The report shall demonstrate effective remediation in accordance with the agreed remediation scheme. All the installed remediation must be retained for the duration of the approved use and the LPA periodically informed in writing of any ongoing monitoring and decisions based thereon as appropriate.

REASON: To ensure that the site has been made 'suitable for use', and as such, does not pose a risk to future users of the site or the wider environment.

Condition 3

Should contamination be encountered unexpectedly during redevelopment, all works should cease, and the LPA 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 ENV3 of the Blackburn with Darwen Borough Local Plan.

Air Quality: No objection subject to the following

These comments relate to air quality only. Colleagues will be commenting on other environmental health issues.

The developer has undertaken three types of assessment and submitted them in one report:

1. A Concentrations Assessment – It concludes that the development is unlikely result in one or more pollution hotspots, or the declaration of a new Air Quality Management Area. There are some issues with the report¹, but if the report was revised to address these issues it is unlikely that it would have a major impact on the conclusions of the concentrations assessment.
2. A Total Emissions Assessment – Large residential developments generate a lot of extra vehicle trips and additional pollution that has an adverse impact on health. The submitted

¹

assessment has used Defra methodology to estimate the financial cost of the adverse health impact. The estimated adverse health cost is approximately £216,000.

3. A Construction Phase Assessment - The risk of dust soiling is medium without mitigation, but the impact will be negligible if good practice measures are implemented. The health risk posed by construction dust is low.

There is a predicted adverse health cost of £216,000, so it is recommended that the issue of mitigation is explored (in accordance with the BwDBC Air Quality PAN). This mitigation should be in addition to the provision of electric vehicle charging points and gas boiler emission limits, as these measures are regarded as standard good practice for all residential developments.

If the authority decides not to explore the issue of mitigation the following conditions are recommended:

Recommended Condition – Electric Vehicle Charging

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 3.7kW 16A. External points will be weatherproof and have an internal switch to disconnect electrical power.

Reason: In accordance with Paragraph 110 of the National Planning Policy Framework, which states that developments should be designed to enable charging plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. The condition also implements the Council's Air Quality Advisory Note and the Principle of Good Practice in the EPUK & IAQM guidance Planning for Air Quality. These are readily achievable mitigation measures that reflect current good practice and help to reduce the cumulative impact of current and future developments.

Recommended Condition – Gas Fired Domestic heating Boilers

Any gas boilers installed in the dwellings shall not emit more than 40mg NO_x/kWh.

Reason: In accordance with paragraph 181 of the NPPF, the Council's PAN and the Principles of Good Practice in the EPUK & IAQM guidance Planning for Air Quality

Recommended Condition: Construction Management Plan & Dust Soiling

Earthworks and construction activity shall not commence until a construction management plan is submitted by the developer has been agreed in writing with the Planning Authority. The agreed plan shall include but not necessarily be limited to measures to prevent dust soiling. It will be implemented for the duration of the earthworks and construction activity at the site.

Reason: This condition is recommended to mitigate the risk of dust soiling at neighbouring residential premises during earthworks and construction. The developer's assessment

concluded that the risk of dust soiling is medium without mitigation, but the impact will be negligible if good practice measures are implemented.

Other conditions recommended:

Flood Lighting Design and Assessment Report (Report No: 1816-2)

I note that the assessment did not take account of any potential residential amenity intrusive light impact arising from Velmet Limited's premises, as such, the following condition previously imposed remains as recommended.

Condition - Flood Lighting Loss of Amenity Assessment

The developer shall submit a written lighting report detailing the ambient external light levels at the development site. The report shall identify the artificial flood light intrusion and glare levels outside dwelling windows at the proposed development site. Where appropriate, the report shall recommend any light attenuation measures necessary to prevent loss of amenity at the proposed dwellings. The report must be approved in writing by the Local Planning Authority before construction commences and all approved attenuation measures recommended in the report shall be fully implemented before the dwellings can be occupied and thereafter retained for the duration of this use.

Reason: To prevent light pollution loss of amenity at the proposed dwellings arising from the premises of Velmet Ltd.

Condition - Residential Noise Amenity Impact Assessment

Prior to commencement of the proposed development, a written assessment shall be submitted to the Local Planning Authority (LPA) that determines likely noise impacts on the proposed use and, where appropriate, identifies mitigating measures to alleviate those impacts. Reference should be made to the National Planning Policy Framework and Noise Policy Statement for England. Written approval of the assessment must be obtained from the LPA and all agreed mitigating measures installed prior to commencement of the approved use and thereafter retained for the duration of this use.

Reason: To ensure an acceptable standard of residential amenity.

Demolition/Construction Phase Control Conditions

Condition – Hours of Site Works

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

Saturday 09:00 - 13:00 hours

Any variation of the above hours restriction must be approved in writing by the Planning Authority.

Reason

To ensure appropriate hours of site work to minimise noise during the construction phase.

Condition – Dust Control

The commencement of the development shall not take place until there has been submitted to and approved in writing by the Planning Authority a scheme employing the best practicable means for the suppression of dust during the period of demolition/construction. The

approved measures in the scheme shall be employed throughout this period of development unless any variation has been approved in writing by the Planning Authority.

Reason

To ensure that satisfactory measures are in place to alleviate any dust & dirt impact at adjacent residential premises.

Noise & Vibration Control

The following condition is recommended if pile driving works are required on site.

Condition

The commencement of the development shall not take place until there has been submitted to and approved in writing by the Planning Authority a programme for the monitoring of noise & vibration generated during demolition & construction works. The programme shall specify the measurement locations and maximum permissible noise & vibration levels at each location. At each location, noise & vibration levels shall not exceed the specified levels in the approved programme unless otherwise approved in writing by the Planning Authority or in an emergency.

Reason

To minimise noise/vibration disturbance at adjacent residential premises.

With reference to the planning application I have the following comments relating to air quality:

6.5 Highways Authority / Public Rights of Way Officer

No objection, subject to conditions:

PROW - There are two public rights of way which run through the proposed development and the application makes reference to the main PROW running through the site, Footpath 241 Darwen.

The application is suggesting that this PROW is relocated on a different line through the development, however there appears to be a missing link between one of the connecting paths footpath 215 Darwen which comes in from the South easterly side of the site. This will need to be incorporated in the proposed diversion.

The footpaths through the site will require temporary closures throughout the duration of the site preparation and the construction of the development.

An application form for this can be obtained from the BWDBC website or from public.rightofway@blackburn.gov.uk

The Diversion of the footpaths will need to be applied for under The Town and Country planning Act 1990. Application forms for this can be obtained from the BWDBC website or from public.rightofway@blackburn.gov.uk

The application received has been assessed and a site investigation has been carried out.

The proposal seeks consent for the Erection of 343 dwellings with associated works including car parking, landscaping and open space.

The site has been cleared, and is ready for development; therefore no demolition requirements are apparent.

The site is located off Ellison Fold Way.

Parking

The scheme delivers mixture of 2/3/4 bed properties. The requirements for parking are in accordance with the councils approved adopted standards which make the following recommendation;

- 2-3 bed – 2 car spaces and 2 secure cycle spaces per dwelling
- 4 bed – 3 car spaces and 2 secure cycle spaces

The car parking supporting the dwelling houses should be contained within the curtilages. Each car space on the drive should be 5.5m in length and any garages supporting the dwelling houses should be 3m x 6m.

Having reviewed the scheme, there are anomalies through the scheme, please request consideration of the following

- the drive lengths on certain plots are substandard , and do not conform to the required 5.5m
- No dimensions of the garage for all the house types offering 4bed (with the exception of Grasmoor) have been provided ...please request further details.
- The C1 are 4 bed properties and the parking offer is only 2 spaces, and should be 3 spaces, please request further consideration
- Property boundaries should be defined with clear lines incorporating car parking within the curtilages of each property.
- Plots 333-336 are all C1 – there is no opportunity for the parking to be supported on street.

Access/Layout

Vehicular access to the site is obtained from Ellison Fold Way, secured through four new access points.

All arterial roads are 5.5m with 2m footways either sides. The access way are varying in width between 4.1 – 4.5m, this is bounded by a footway on one side and a service verge on the other. Ordinarily this would be acceptable, however the road gradients are largely on the upper levels for the less ambulant person to utilise, we would therefore insist that the carriageway is bounded by footways on both sides of the carriageway.

A couple of turning heads appear tight, the wheels are very close to the kerbs in some locations.

In areas where there is no footways and the verge is nominal, I would advise that the minimum width should be 800mm as this would be sufficient to accommodate street lighting column, should they be required in these location as the opposite side is full of drives,

Gradient issues across the sites, go against the Council's desired levels, of 1:20 -1:25. The majority of the site is 1:12, throughout, which would comprise disabled accessibility and movement strategy.

Traffic calming through the site will need to be considered, this should be confirmed and approved at Technical approval stage (please condition).

The road layout has been designed pre manual of streets, no opportunity to soften the appearance of the hard landscaping has been introduced, further consideration to this is to be given.

Sightlines are offered at the main access points out onto Ellison Fold Way, these are acceptable. We would request these are extended to also consider drives/and the adjacent boundary treatment.

Similar splays for pedestrian and vehicle visibility adjacent to drives should be considered.

Transport Assessment

Our Transport Planner has reviewed the Transport Assessment, their response is attached. Its concludes, by confirming our support to the proposal, subject to PROW and parking matters being resolved.

There is a separate request for a s106 contribution towards wider DEDC networks improvements, which addresses the points in connection with bus facilities, and the wider cycling network.

OTHER

Construction method statement and plan has been submitted and reviewed. This sets out the requirement for the management of the site, the co-ordination of the site would appear to be acceptable. We reserve the right to challenge if the works are not carried out to our satisfaction.

Matters also to be considered are:

- All existing street furniture including street lighting should be removed/disconnected at the applicants expense and relocated at locations to be agreed with by the relevant highways officer, (should they be required to do so)
- Contact to be made with our Structures Division prior to commencement of any works affecting retaining walls/ structure adjacent to/abutting or within the adopted highway
- Prior to any work commencing that affects the existing adopted highway contact to be made with the Local Highway Authorities office on Tel: 01254 585009
 - The new highways will be the subject of a Section 38 agreement to construct and adopt the roads and footways
 - Any old entrances that are no longer required, should be reinstated back to full footway at the developers expense
 - Footways around the periphery of the site, are to be made good, upto modern adoptable standards, this include street lighting, lining and any associated works.

In principle we are supportive of the scheme, there are however a number of outstanding matters that require further consideration. Please request a response and additional information required.

Please note: Prior to the commencement of any works that affect or adjoin the adopted highway – contact is to be made with the local highway officer.

6.6 BWD Arboricultral Officer

No objection:

The arboricultural consultants have submitted a detailed AIA with a tree survey that accurately grades the trees on the site in accordance with the required BS5837. The assessment shows the removal of mostly low grade trees to facilitate the development proposals. There are three A category trees to be removed and five individual and part groups

of B category to be removed that are mostly non-native Sycamore. Whilst it is always disappointing to lose quality trees to development the proposed landscaping is adequate mitigation due to it being a good mix of native and non-native trees and shrubs for planting.

6.7 Growth / Strategic Housing

No objection:

The Housing Growth Team would support the development of good quality family homes which respond to the Council's growth strategy in this location.

We would be willing to support the proposal subject to it meeting planning policy requirements and approval from Development Management.

In accordance with the Council's Affordable Homes Policy the developer will be required to provide 20% of the scheme for affordable housing. This can be on site, off site or through a S106 commuted sum payment.

We are supportive of new housing developments coming forward and will be willing to consider negotiating affordable homes provision/commuted sum requirement to support scheme viability.

Summary s106 requirements:

Education	Highways	GI / POS	Total
£742,500	£642,500	£100,000	£1.500,000

6.8 Environment Agency

No objection, subject to conditions:

The previous use of the proposed development site as part of a colliery presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is

- located upon a secondary aquifer B

The application demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken.

In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 178 of the National Planning Policy Framework.

Without **this** condition we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

- The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework, and to prevent deterioration of a water quality element to a lower status class in Grimshaw Brook.

Ordinary watercourse consent – advice to applicant

Grimshaw Brook is designated as an 'ordinary watercourse', therefore any works within or adjacent to the watercourse, which involve infilling, diversion, culverting or which may otherwise restrict flow, may require the prior formal consent of the Lead Local Flood Authority (LLFA) under Section 23 of the Land Drainage Act 1991. As such, if you have not already done so, we recommend that you consult the LLFA on the proposals in relation to the realignment and de-culverting of the brook. The following guidance on the rights and responsibilities of riverside ownership is available on the GOV.UK website: <https://www.gov.uk/government/publications/riverside-ownership-rights-and-responsibilities>

6.9 GMEU Ecology

Initial response, no objection (full response to be represented in update report):

I could not find the Ecology survey and assessment report supplied by the applicant in support of the application on the website; this response should therefore be regarded as an initial response pending receipt and review of this survey report.

The application site appears to be a very large open site dominated by semi-improved grassland but with some smaller areas of wet/marshy grassland, scattered trees and some areas of more species-rich mosaic habitats, partly on abandoned farmland and/or previously used land. There is existing residential development on three sides of the site, with open land to the east, albeit separated from the site by the Roman Road. A newly constructed major road crosses the western part of the site in a north-south orientation.

There do not appear to be any watercourses or significant waterbodies on or close to the application site, although wet grassland and small pools on the site may support small numbers of amphibians.

Protected (designated) sites

The application will not affect any sites designated for their nature conservation interest.

Protected species

The site does not appear to support any specially protected species, except for nesting birds and small numbers of foraging bats. I did not records signs of badgers on the site, but the site is suitable for badgers.

The site will support small mammals and these species will provide food for predators, including kestrels and owls.

The site provides habitat for ground nesting birds, although the levels of public disturbance, including dog walking, may limit ground nesting opportunities.

Priority Habitats

Parts of the site support relatively species-rich habitat mosaics; such habitats can support important populations of invertebrates.

Impact of the development

The development will result in the loss of significant areas of open grassland, mosaic habitats and scattered trees.

But the layout plans for the development show substantive and meaningful areas of greenspace retained as part of the development, with indicative new landscaping in these areas. The areas of greenspace (and the proposed SUDs features) represent opportunities for the creation and management of new habitats on the site, perhaps smaller in size than the open grassland to be lost to the scheme but qualitatively better for landscape and wildlife.

However, no details of the proposed new landscaping of the site appear to have been provided with the current application.

Recommendations

Notwithstanding the results of the ecology surveys undertaken by the applicant, and as initial recommendations –

- I would raise no overall objections to the proposal on Ecology grounds
- I would recommend that, as a Condition of any approval which may be granted to the scheme but before any works commence, detailed Landscape proposals should be prepared for the site. A Landscape and Habitat Creation and Management Plan should be prepared. The Plan should take into account the need to re-create important habitat mosaics, and the need for the development to achieve, as far as is possible, a net gain for biodiversity.
- No vegetation clearance required by the scheme should take place in the optimum time period for nesting birds (March to August inclusive).
- SUDs features should be designed to be of benefit to wildlife, and not simply for flood mitigation.
- Sensitive lighting schemes should be designed for phases of the scheme, particularly adjacent to areas of greenspace, to avoid disturbance to nocturnal wildlife.

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- Sensitive lighting schemes should be designed for phases of the scheme, particularly adjacent to areas of greenspace, to avoid disturbance to nocturnal wildlife.

6.10 United Utilities

No objection, subject to conditions:

Drainage

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Following our review of the submitted Flood Risk and Drainage Assessment, we note foul flows are proposed to connect into the 300mm diameter combined public sewer located within Ellison Fold Terrace and surface water flows are proposed to connect into watercourses. On the basis that foul only flows are proposed to connect into the public sewerage system at the location shown, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

Condition 1 – Surface water

The drainage for the development hereby approved, shall be carried out in accordance Flood Risk and Drainage Assessment Report Ref: 30445/SRG - Dated October 2020 which was prepared by Ironside Farrar Ltd. No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

The applicant can discuss any of the above with Developer Engineer, Robert Brenton, by email at wastewaterdeveloperservices@uuplc.co.uk.

Please note, United Utilities are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition. You may find the below a useful example:

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and

b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

Water Supply

For larger premises or developments of more than one property, including multiple connections, where additional infrastructure is required, a water network behaviour/demand modelling exercise would be required to determine the network reinforcements required to support the proposed development. With this in mind we recommend the applicant contacts us at the earliest opportunity.

Our water mains may need extending to serve any development on this site and the applicant may be required to pay a contribution.

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

United Utilities' Property, Assets and Infrastructure

A water main crosses the site. As we need unrestricted access for operating and maintaining

it, we will not permit development over or in close proximity to the main. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which is enclosed.

The applicant must comply with our 'Standard Conditions' document. This should be taken into account in the final site layout, or a diversion may be necessary. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion required as a result of any development will be at the applicant's expense. If considering a water mains diversion, the applicant should contact United Utilities at their earliest opportunity as they may find that the cost of mains diversion is prohibitive in the context of their development scheme.

The Water Industry Act 1991 affords United Utilities specific rights in relation to the maintenance, repair, access and protection of our water infrastructure;

☐ Sections 158 & 159, outlines the right to inspect, maintain, adjust, repair or alter our mains. This includes carrying out any works incidental to any of those purposes. Service pipes are not our property and we have no record of them.

☐ Under Section 174 of the Act it is an offence to intentionally or negligently interfere with any resource main or water main that causes damage to or has an effect on its use or operation.

It is in accordance with this statutory provision that we provide standard conditions to assist developers when working in close proximity to our water mains.

Both during and post construction, there should be no additional load bearing capacity on the main without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. We recommend the developer contacts United Utilities for advice on identifying the exact location of the water main.

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk

Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

6.11 Lancashire Constabulary

No objection, standard comments.

6.12 Lancashire Fire Service

No objection, standard comments.

6.13 Lancashire Archaeology

No objection, subject to the following:

The proposed development contains a number of non-designated heritage assets, recorded on the Lancashire Historic Environment Record relating to former coal mining in the area (PRNs 7390 & 20400) and the former site of an early 19th century farmstead known as Ellison Fold (PRN 40051).

Archaeological evaluation works in 2017 on the adjacent Darwen East Distributor Road on the former coal workings did not encounter any significant archaeological features and no further works in relation to those sites was considered necessary.

The former farmstead known as Ellison Fold lay outside the limits of the road and therefore did not form part of those archaeological works. The Site One Layout (drawing L100-SL-01a) suggests that works in the vicinity of Ellison Fold will be limited. A path that runs from the internal road that terminates in front of plot 157, appears to pass through the site, although there are no details as to the width or depth of any proposed groundworks required.

The HET would therefore advise that the applicants be required to revise the route of the proposed pathway so that it avoids any of the buildings depicted on the 1st Edition 1:10560 or 1:2500 Ordnance Surveys; there would appear to be a large enough gap for the pathway to pass through the site and avoid the former buildings if it was moved to the north (NGR 370444, 422555). Alternatively routes to the north or south of the complex should be considered.

A revised layout plan (showing the route of the pathway superimposed on the historic mapping) should be submitted to the Council and forwarded to the HET for confirmation that the new route is acceptable.

6.14 The Coal Authority Response:

No objection, subject to conditions:

The Coal Authority Response: **Material Consideration**

As you are aware, the application site falls within the defined Development High Risk Area. The Coal Authority records indicate that there are eleven mine shafts located within or adjacent to the application site with their associated zones of influence extending across parts of the site. In addition, a number of coal seams outcrop across the site and historic unrecorded coal mining activity is likely to have taken place beneath the site at shallow depth.

You will recall from our previous consultation response letter of 4 March 2021 that we maintained our objection to the planning application. This was on the basis that the submitted information did not satisfactorily demonstrate that the proposed layout of development avoids the recorded mine entries.

In response to our concerns, the following information has now been submitted by the applicant in support of their proposals:

- Latest version of Geo-environmental Investigation Report 19178/GEIR/A (April 2021, prepared by REFA)
- Latest mine shaft cap details
- Latest site layout plan (Drawing No. L100-SL-01d)

We note that the latest Geo-environmental Investigation Report confirms that all of the recorded mine shafts present within the site have now been positively located. It also indicates that a previously unrecorded mine shaft was located (referenced ME1 in the report).

Section 11.3.3 of the report states that *“All mine shafts identified within this site will be subject to a program of stabilisation and surface treatment to remove any potential hazardous instability which may occur within the future. All mine shafts should be provided with a suitably designed reinforced concrete cap which is formed upon competent rock head level typically lying at a depth of some 1.6 – 5.0m below existing ground level at this site. Upon completion of these capping works it is recommended that properties should be constructed outside the zone of potential influence or where plots are located within the potential zone of influence then the foundations will need to extend the same formation level as the structural cap.”*

The Coal Authority’s Planning Team welcomes the proposed works to treat the shafts. We note from the latest site layout plan that buildings have been arranged in a manner that avoids the identified mineshafts and the likely extent of their proposed caps. As such, we are satisfied that the proposed layout of development has been appropriately informed by the presence of these former coal mining features.

As with the previous version of the Geo-environmental Investigation Report, the latest version advises that the central part of the site will require a programme of drilling and grouting remedial works to stabilise the underlying shallow coal mine workings. The approximate extent of the remedial stabilisation works, covering dwellings, driveways and roads, is shown on a Mining Remediation Proposal plan (Drawing No.19178/07A) which is appended to the report.

The Coal Authority welcomes the recommendation for works to stabilise shallow mine workings which could pose a stability risk to the proposed development. We take this opportunity to remind the applicant that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb Coal Authority property, i.e. coal, mine workings and mine entries.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However,

the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

Surface Coal Resource

The Coal Authority's records indicate that surface coal resource is present on the site, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning application decision making process consideration should be given to such advice in respect of the indicated surface coal resource.

The Coal Authority Recommendation to the LPA

The Coal Authority's Planning Team concurs with the conclusions of the revised Geo-environmental Investigation Report; that coal mining legacy potentially poses a risk to the proposed development and that remedial measures are required in order to ensure the safety and stability of the development.

As such, should planning permission be granted for the proposed development, we would recommend that the following conditions are included on the Decision Notice:

1. Prior to the commencement of development on each phase of the proposed scheme of development, remedial stabilisation works to address land instability arising from mine entries and unrecorded shallow coal mining legacy within that part of the site shall be implemented in full in order to ensure that the site is made safe and stable for the development proposed. The remedial works shall be carried out in accordance with authoritative UK guidance.

2. Prior to the occupation of each phase of the development a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity.

The Coal Authority therefore wishes to raise **withdraw its objection** to the proposed development **subject to the imposition of the above conditions**. This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

Please do not hesitate to contact me if you would like to discuss this matter further.

6.15 Sport England

Objection, request for s106 contribution:

Thank you for consulting Sport England on the above application, it is noted that pre-application discussions have been undertaken, Sport England would be happy to provide comments at the pre-application stage, we provide this service free of charge to ensure as far as possible that the local authority and developers are aware of issues as soon as possible in order that they can be considered as plans develop.

Summary: The proposal makes no contributions to formal sports facilities, indoor or outdoor, therefore **Sport England wishes to object** to this application as it is not compliant with NPPF, or Core Strategy Policy CS21 and Local Plan Part 2 Policy 12 (Developer Contributions to mitigate an impact).

The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. In addition new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing some concerns are raised in this regard.

Sport England – Non Statutory Role and Policy

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#open-space-sports-and-recreation-facilities>

This application falls within the scope of the above guidance as it relates to development of more than 300 residential units and therefore Sport England assesses this type of application in light of the National Planning Policy Framework (NPPF) and against its own planning objectives. These are:

- Protect - To protect the right opportunities in the right places;
- Enhance - To enhance opportunities through better use of existing provision;
- Provide - To provide new opportunities to meet the needs of current and future generations.

Further information on the objectives and Sport England's wider planning guidance can be found on its website: <http://www.sportengland.org/planningforsport>

The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facilities Strategy, Playing Pitch Strategy or other relevant needs assessment. In this case Blackburn with Darwen are currently updating their Playing Pitch Strategy (PPS) and this along with the 2014 report has been used to help inform this response. In accordance with Section 8 of the NPPF, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.

The Council do not have an up to date built facility strategy in place but Sport England's national facilities data (Active Places Power - <https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-places-power/>) and results from the 2020 Facilities Planning Model, suggests that Blackburn with Darwen has a theoretical sufficiency of sports halls when comparing supply and demand against the current population but when taking account of current unmet demand and additional demand from this development the spare capacity becomes a deficiency. In terms of swimming pools Blackburn with Darwen has a deficit of swimming pool provision equating to 165sqm of water space. The additional demand from this development is likely to exacerbate that deficit.

The Proposal and Assessment against Sport England's Objectives and the NPPF

The proposal is understood to be in full and includes residential development comprising 343 units.

The population of the proposed development is estimated to be around 890 (using a 2.6 average occupancy rate taken from ONS Household Projections 2016- this can be adjusted to a figure used by the authority). This additional population will generate additional demand for sports facilities as set out in the section below. The former Blackburn with Darwen PPS Assessment Report (2014) shows pitches of all types and sizes are either operating at capacity or overplayed within the Local Authority Area with the exception of adult football where there is minimal spare capacity. Preliminary results from the emerging PPS suggests these deficiencies still exist and in some cases have been exacerbated over the years. This indicates there is limited capacity to accommodate the additional demand generated from this development. If this demand is not met then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision.

The Proposal and Impact on Existing Sports Facilities

Outdoor Sport:

The proposals do not include any facilities on site for outdoor sport and there is no indication of an off-site contribution to outdoor sport which could be used to meet the demands generated

The existing PPS and the review should be used to answer the following questions;

1. Can the existing sports facilities meet the demand identified?
2. If not, would investment in existing facilities enable them to meet some or all of the demand?
3. If not what is required on site to meet the demand which cannot be met elsewhere?

To help in this regard, Sport England has developed a Playing Pitch Calculator (PPC) which is used to estimate the additional demand for different pitch types that could be generated from housing growth. This calculator has been used in this instance to estimate the additional demand for pitch types arising from this development. :

1. The combined additional demand for peak period matches and training sessions equates to one pitch equivalent at an indicative capital cost of **£91,278** and lifecycle cost of £11,800. Broken down into pitch types this equates to:
 - 1a. Natural Turf improvements to adult, youth and mini football pitches – indicative costs amount to a total **£48,934** with lifecycle costs of £10,000 (to accommodate match play during peak period).
 - 1b. Artificial Grass Pitch indicative costs amount to a total indicative cost of £42,794 with a split of £39,708 for 3G and £3,086 for sand based (to accommodate training over the week).
2. This additional demand would generate the need for an additional changing room at an indicative cost of **£111.233**
3. As the majority of additional demand that would be generated is for adult, youth and mini football it suggests qualitative improvements to existing pitches (natural turf and artificial) within the locality are required rather than new pitch provision. But that should be properly determined using evidence of overplay and spare capacity of existing pitches within the Local Authority as set out in the emerging PPS.
4. Shortfalls in existing provision are likely to be exacerbated by the new residents moving into the area and therefore using the latest PPS action plan and Local Football Facility Plan priority projects, a specific site(s) should be identified where works are required to increase capacity to meet the additional/ new demand. The identified site(s) and set of works, and costs should inform a s106 agreement.

The indicative cost for providing qualitative improvements is taken from Sport England's Sports Facilities Cost Second Quarter 2020.

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/facility-cost-guidance>

Once the applicant, after consultation with the Local Authority, has established how best to provide the additional capacity, a more accurate cost analysis should be undertaken based on works required at specific sites. The cost analysis can inform the requirement for a commuted sum.

Indoor Sport:

In relation to indoor sports provision you may be aware that Sport England's Sports Facilities Calculator (SFC) can help to provide an indication of the likely demand that will be generated by a development for certain facility types. The SFC indicates that a population of 996 in this local authority area will generate a demand for.

Sports Halls		Swimming Pools	
Courts	0.25	Lanes	0.18
Halls	0.06	Pools	0.04
Vpwpp*	75	Vpwpp	57
Cost	£154,445	Cost	£164,043

*Vpwpp = visits per week in the peak period

The table above shows that additional visits to halls and swimming pools will be generated. The applicant, in consultation with the Council should assess whether:

- Existing facilities within the Local Authority area can accommodate the additional demand; or
- Improvements to existing facilities are required to build in the additional demand; or
- A contribution towards planned new provision is required

Total indicative cost for indoor sport improvements = £318,488

It is noted that Blackburn Sports Centre was constructed in 2015, however the new residents at this site are more likely to use Darwen Leisure Centre. The pools at Darwen LC are modelled to be operating at 70% capacity (With Blackburn SC operating at 100%) with the halls at both facilities the used capacity is at 100%. As a guide, 70% utilised capacity is used to indicate that pools are becoming busy, and 80% for sports halls. This would indicate that further work is necessary to understand if the growth in demand from this development can be accommodated particularly with regard to swimming pools.

Again the costs are indicative and any improvements/new provision required should be informed by a more accurate cost analysis.

More information on the SFC can be found on our website at: <https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/sports-facility-calculator/>

The calculations for the outdoor and indoor sports demand and costs can be supplied on request. Please contact the undersigned.

Design and layout – Active Environments and BREEAM

It is noted a Public Open Space Design has been submitted but it considers Public Realm, in the main, and does not address the additional demand for sport nor it does it show how the principles of Active Design have been considered to inform the overall design. It is acknowledged that the developments location and relationship to existing public transport and pedestrian links have been assessed but there is no conclusion made as to whether improvements are required to help create physical activity opportunities.

Sport England, in conjunction with Public Health England, has produced 'Active Design' (October 2015), a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design. Sport England would commend the use of the guidance in the master planning process for new residential developments. The document can be downloaded via the following link:

<http://www.sportengland.org/activedesign>

Sport England and BRE Global have worked together to map the individual issues and criteria in each BREEAM Scheme with the Active Design principles outlined by Sport England. The built environment can have major impacts on people's health and wellbeing, designing the Principles of Active Design into new, emerging and established areas of the built environment is becoming increasingly desirable at national and local planning levels. BREEAM, HQM and CEEQUAL are schemes which can be used to ensure that the high level principles of active design are met and implemented where possible during each stage of a projects lifecycle.

<https://www.breeam.com/engage/research-and-development>

Sport England strongly recommends the application incorporates the key principles of Active Design in order to accord with the Council's Core Strategy and Local Plan Part 2 Design Policies and Residential Design Guidance and Sport England Planning for Sport Principles:

<http://www.sportengland.org/planningforsport>

Conclusion

Sport England makes no comment in relation to the principles around housing needs and has focussed on ensuring, if development goes ahead, that sufficient community infrastructure for indoor and outdoor sports facilities are provided to support the increase in population associated with the development.

Given that the Local Authority area sports provision is currently operating at capacity with some deficiencies, it is Sport England's opinion that the development would, if permitted, create a need for a contribution to sports facilities. Such a contribution should be secured by S106 and invested in improving sports facilities within the sports catchment of the proposal. The details above provide an idea of the level of contributions that may be required. Sport England's costings for new sports facilities can be found on our website.

The proposal makes no contributions to formal sports facilities, indoor or outdoor, therefore **Sport England wishes to object** to this application as it is not compliant with NPPF, or Core Strategy Policy CS21 and Local Plan Part 2 Policy 12 (Developer Contributions to mitigate an impact)

6.16 NHS

Request s106 contribution:

Impact of the Application

13. Planning application **10/21/0122, Land at Ellison Fold Way, Darwen, BB3 3ED**, is seeking to secure permission for the construction of **343** new dwellings. These dwellings will support a

population increase of **789** new residents (assuming an average of 2.3 people per dwelling⁵) all of whom will need to access health services.

It follows that without the provision of additional facilities and services it will not be possible to accommodate the health impact of the development within the existing provision which is available.

15. Whilst the Trust will, in due course, be able to obtain funding to meet the needs of the population which arises from the development, this funding will not be in place for approximately three years. Once in place, the funding will not be provided retrospectively, and as such the impact on the Trust for the initial period will not be met from any alternative source of funding⁶.

16. We therefore request a contribution for this development in the sum of **£585,333.00** a breakdown for which you will find at Appendix 2.

Community Infrastructure Levy Regulations 2010

17. In accordance with the Community Infrastructure Regulations (2010) (as amended) this request has been considered in the context of Regulation 122.

18. Regulation 122 states:

“A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is-

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.”

19. It is considered that the contribution which has been sought in respect of the application meets the tests contained within Regulation 122.

Conclusion

20. It is therefore concluded that the request complies with relevant planning policies and is necessary to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.

21. We would request such a contribution should be paid to the Council under the terms of the s.106 agreement, and should then be paid to the Trust. We would ask that any contribution be paid in full prior to first occupation of the development to allow for the necessary service provision to be in place to meet the demand which will arise as soon as the development is occupied.

- 6.17 Public consultation has taken place, with 518 letters posted to the local community on 15th February 2021; display of site notices and publication of a press notice published 8th March 2021. In response, 81 objections and 2 representations of support were received (see Summary of Representations).

7.0 CONTACT OFFICER: Nick Blackledge – [Senior Planner].

8.0 DATE PREPARED: 14th May 2021.

9.0 SUMMARY OF REPRESENTATIONS

Objection - Thomas Harding, 24 Lisbon Drive, Darwen. Received – 17/02/2021

I think it is a disaster that any green land is being swallowed up by housing developments. The appeal of darwen was the Greenland. You are willfully allowing its destruction. The new road floods, and they have attempted to rectify it by digging ever increasingly large ditches.

I have 0 confidence in the workmanship and fear for those who live down hill from the development which will inevitably increase flooding when concreted. Not to mention that I have frequently seen deer roaming around on nearby green space which will be destroyed. There are so many abandoned or unused areas of land with previous developments on that aren't being used. Why destroy green space when there are better less destructive areas to build.

It is a massive disappointment, where is the recreational space for people on this side of darwen going to be? Most green space is either covered with sports pitches or is private land.

I realise this will have 0 impact as they have clearly already started work behind my property and on the green space but I think it is a shambles the way you ask for our opinion when the work is already going on from just after 7am everyday waking us up.

Objection – James Aspin, 73 Sudellside Street, Darwen. Received – 17/02/2021

Good afternoon

I write regarding the planning application recently received by yourselves for Ellison Fold Way Darwen.

Is it the aim of this and every other council in the nation to destroy every piece of green land still existing?

The area is used by residents and children for recreation and walks with many dog owners using the land.

The land can already not cope with water load - the footpath was completely flooded over this winter with water ankle deep and that's before you take away natural drainage to allow cheap nasty builds which will be falling down inside 20 years (and trust me I have lived in a new build)

I will be absolutely disgusted if this is given the go ahead we live in a beautiful town that is so beautiful because it is small and not some hell hole metropolis.

Objection – Roy Peary, 25 Roman Road, Darwen. Received – 18/02/2021

The documents suggest 67 affordable homes equate to 20% of 343. Basic maths tells me 68 homes equates to less than 20%, in fact 70 homes also equates to 20%.

"Consultation with the Council's Growth & Development Dept. and Great Places Housing Association has confirmed that this proposed level and mix of affordable housing provision would be acceptable."

Who agreed this, shame on you? Surely the local authority should be maximising the volumes of affordable housing to meet the 20% and certainly agreeing the bottom line of 68 houses, not agreeing a minimum which still looks like 20% as a headline figure!

I'm struggling to understand why some of the housing is not developer funded.

Where are the proposed rented properties?

Objection Anne Mills. Received - 18/02/2021

In the 2019 consultation document, you have quoted the Wildlife Trust as stating: 'overall access to public open space should be increased'.

Within the current plan,

- There is no visible planned provision for extending public green and park spaces alongside home building projects - the only such areas exist on the West side of the town meaning that the recognised poorer/deprived areas have increased barriers in reaching these, having to cross increasingly busy roads, driving, or taking public transport. With the proposal of national government to ensure that people have access to open space, and to invest in our greenfield space, I feel that little consideration has been given to an area already poverty stricken in both its financial, and health and social well-being. Furthermore, the environment, already depleted of natural wildlife, flora and fauna, is pushed further into farmland and toward road networks, where its chance to thrive and enhance the natural environment is vastly diminished.

In the same document, the Public Health Department, Blackburn with Darwen Council also stated that: Brownfield sites should be a target for development to protect local green space. **'Access to green space is directly related to improved health and wellbeing of the population'**. Both plots according to the proposal document are stated to be 'greenfield' sites

The town centre's outstanding regeneration scheme has included the structure of the Peregrine falcon, which uses the proposed site (amongst others) for hunting, the moorlands further afield having been on a number of occasions under threat of fire, which as stated above, has also led to a decline in wildlife in the surrounding areas.

- Has consideration been given to the 'greenfield' site being used as a 'community garden and/or woodland scheme? Many local residents may wish to participate in opportunities to 'grow their own' or using the site as a valuable nature resource to be explored by those households which are frequently ill-provided for, or forgotten about in terms of housing - providing them somewhere which provides them with purpose, a sense of belonging and overall well-being, which, in turn can potentially increase motivation to consider their wider community and environment.
- The Woodland Trust run schemes alongside local organisations to look at re-forestation of certain areas, which would seem a realistic and environmentally responsible solution to the flooding which has been experienced in the town over recent years, and could potentially support an increase in the rapidly declining natural environment which people on the East side of Darwen are sadly lacking.
- Why have residents not been consulted about the possibility of investing in their surrounding area, by providing a space for which they can come together as a community to increase respect of nature and environment, indeed potentially offset Darwens' current

carbon footprint? It is noted that rather than offer alternatives, we were told that the only option is for 'development'

The proposed road network is far from suitable, for the current weight of traffic - building of hundreds more homes in the area will undoubtedly increase cars/vehicles on the road network. The most recent schemes (Ellison Fold Way) has done little to ease congestion on other of the towns' roads and traffic flow (as promised) - and since it has been built, the country has experienced national lockdown, where much LESS traffic has been using the roads! Furthermore, despite funding and proposed improvements to the rail network, I am unaware that there is an increased number of rolling stock or that train timetables are running increased journeys. With one main road in and one road out of Darwen, (excluding motorway), it is inevitable that people moving into the area will look for reliable, cost effective transport, unless, of course, they bring with them 1 car per worker. The proposed scheme does little to address these issues. These 300 plus homes will potentially add another 2 cars each to the road network - I can only envisage chaos at the already busy motorway junctions.

What about schools, healthcare, leisure and shops?

- The proposal shows little in terms of planning for increased places for school children of all ages. It is noted that one school only appears earmarked for expansion - how can that one expansion house potential numbers of primary and secondary school aged children? Most schools in Darwen offer only limited floor space per child, so, how on earth, with the proposed number of new housing developments, can the authority promise to provide local and effective education facilities for all those children.
- Health care is a major concern in one of the most deprived areas in the country. Again, your proposal shows little in terms of how the health of the population of the town will be supported with limited resources provided by primary care trusts? GPs and their staff already struggle to accommodate patient at times when we are not experiencing pandemic; how, with limited buildings and other resources will access to services, be guaranteed? How do you propose that an increasing population will be guaranteed medical and dental appointments?
- Leisure facilities, in the town itself are limited, and the green space threatened as the population continues to be increased and spread wider. There is nothing whatsoever in the proposal to suggest protection of the natural environment, and access to it, that will ensure the health, wellbeing and prosperity of the town.

Commerce in Darwen is wholly uninspiring. An abundance of food takeaways, hairdresser shops , charity shops, pound shops and cafes, yet there is little to attract other small businesses to the town, let alone prospective residents. Do your proposals include bringing in nationally recognised franchises or businesses that are not all available in abundance in the town? The town needs quality, artisan and business to attract people from further afield, not the same businesses time and time again!!

Whilst myself and neighbours all propose to comment on the plans, we are all aware that the most important part of the project is to build the properties, and it is unlikely our voices will be heard.

Objection – Mike & Barbara Lomax, 12 Lisbon Drive, Darwen. Received – 22/02/2021

Good afternoon Nick

I am writing concerning the new development on the old Baileys field Darwen of 343 dwellings application 10/21/0122 our concerns are that it appears to be quite a large area that is going to be taken up with houses almost surrounding our estate we have lived on Lisbon Drive for 37 yrs as have quite a few of our neighbours and it has always been a quiet area and safe for children over the years, what i'm concerned about is you have 343 houses with approximately 1,372 people and more than 343/686 cars which is quite a lot for this area so we've got extra traffic and also extra footfall with some pedestrian access through our estate is that going to be blocked off, plus the new houses at the back of us. We were led to believe that another housing company pulled out because of the mine working and streams underneath the land if these houses are going to be built how is this going to affect us some of our neighbours are not happy about this situation and it is their choice whether they write to you or not

Objection – Graham Butterworth, 38 Coniston Drive, Darwen. Received – 22/02/2021

With regard to the above planning application, I would like to raise a few concerns.

The initial plans explained that Ellison Fold Way was intended as an alternative route from Junction 4 of the M65 to the south of Darwen. This was to relieve congestion on the A666 through Darwen. I understand that there would be an intention to further develop the land comprising of Bailey's Field by building dwellings.

The original plans showed that the route between J4 and Ellison Fold Way would be up Goosehouse Lane, through Chapels (with the existing terraced houses being demolished), up onto Ivinson Road to then join Ellison Fold Way.

It would now appear that the route will remain as it currently is; along Holden Fold. This is even more likely to be the case as the overall plan for Darwen is to build on the brown field site that was Moorland School.

With the two planned estates, of almost 1,000 extra houses, I would conservatively estimate there will be an additional 3,000 to 5,000 more residents and 1,500 to 1,800 more vehicles. Also, the extra vehicular traffic which is expected to re-route away from the A666 which I could not even guess at.

Holden Fold is clearly not suitable for this volume of traffic.

There do not appear to be any plans for additional schools, medical services, etc...

All this is without mentioning the very obvious issues around the mine workings which have been well documented.

I believe that before the green field site of Bailey's Field is developed brown field sites should be utilised, the road infrastructure should be properly addressed and clear plans for schools, shops and medical services published.

Thank you for taking the time to read this and I hope that all the concerns of Darwen's residents are taken into account.

Objection – Wendy, Ellison Fold Terrace, Darwen. Received – 22/02/2021

Hi there

I don't know if this is where I write to but here I go.

I'd just like to say how I feel about another piece of green field being used for new houses.

I've lived in Ellison fold terrace all my 55 years and it's been lovely to have countryside at the top of my street. I've played in the fields as a youngster and walked through going to moorland school. When I looked after a dog whilst the owners were on holiday, I'd walk her all round the field and always thought how peaceful it was just listening to the birds hovering overhead. I've seen deer early in the day and moles and rabbits and owls.

Most people have busy lives and stressful also and to have an area where you can go and just sit and listen to a different life is wonderful. Just to forget the busy A666 and all the cars racing around. Mental health is a big thing and areas like baileys field does help.

I feel too much green fields are being torn up for bricks and tarmac just so someone can have a 4 bedroom house. I'm sure there are enough houses to choose from and enough empty houses that could be renovated plus where mills have been pulled down.

This planet needs fields and trees and wild flowers for bee pollination for everyone and everything to survive. We are just as bad as the Amazon rainforest, chopping trees down where all the animals live just so someone can make money. We should have learnt from our past about destroying land. All the animals are that are there and those on pole lane and cranberry area, where do they go? No wonder you see dead animals on the road, we are encroaching onto every piece of green land.

What would be lovely is scattering wild flower seeds and reap the rewards, be known for being a caring council rather than a greedy one.

I know my words won't have any effect but I've tried.

Objection – Lydia Welsh, 5 Milton Close, Darwen. Received – 22/02/2021

Thank you for keeping us updated on this development via post, although I would've liked to have had more information in the pack rather than having to search online for it.

In the conclusion of the "Draft Statement of Comments" it is gathered that only 2.3% of the neighbouring properties have any issue with this build, you also mark "the commitment McDermott Homes has undertaken to engage with local residents, Councillors and the Council throughout the process, despite challenges associated with undertaking consultation during the COVID-19 lockdown". I would like to suggest that the 2.3% number you have concluded is wrong. The residents that reside around the proposed site consist of many different types of people; I regret to say that the pandemic may have had a very large effect on the response you have had from residents. In the same way that you commend the commitment of McDermott Homes (who have a very large financial benefit from this, and it is somebody's job to keep on top of this) we must think of those people under extra pressure due to the pandemic - working full time, home schooling children and left without their support network - who simply haven't had the chance to be heard where they usually would.

A few specific examples are; some are in rented housing and so feel like this is their landlord's business not theirs, but will not be seeing their landlords to pass on this letter because of the pandemic. Many are older and do not communicate via email, and due to the pandemic have not been able to ask other households for help to voice their opinion on this matter and some are just

trying to get through this and where they would usually have time to voice their opinion simply can't find time to go through the usual routes.

A simple petition against this development has been circulation and within hours had over 300 signatures and counting - many commenting with reasons for their signature. This is a more truthful telling of the local feelings of this build. Although I am sure it will only count as one objection - in spite of all those voices coming together. If you want a more accurate response during the pandemic, I suggest you extend the deadline, send out the information in print form for people to look through, include a questionnaire they can fill in and a stamped letter. Along with this I would include a link to an online version of the same questionnaire for those who cannot leave the house. This will allow many more people who cannot make their voice heard in the usual ways at the moment, to have a say.

I was one of your 2.3%, I am glad to hear that the builds are not over 3 stories tall, I am also glad to hear that the greenspaces are not just for illustration purposes.

I am saddened to see that all boundaries are wooden fences and stone walls, with no mention of hedgehog highways or hedges. Looking at the plans, although you mention "green wildlife corridors" I see only green space around (which I am grateful for) but no wildlife path through, all green areas are cut off by these garden boundaries and roads. I will once again ask that one fence in every garden be a hedge or there be hedgehog highway holes 5cm by 5cm in the garden boundaries to let the wildlife through. This was not mentioned in the "Statement of comments" Just ignored. If the hedge or hedgehog highways cannot be in place, I ask that you consider leaving a gap between your fences at the bottom of the gardens with open ends that will be a true wildlife corridor through the estate safe for hedgehogs, badgers and other wildlife. Although I believe that hedges have been proven best, if you are truly concerned about the environmental impact of this build and the greenspace you are destroying. I also refuse to believe there isn't better suited brown land near by that would be better to build on.

I would like to also politely suggest that you incorporate wildflower turf to the public green areas of your plans especially on the sides of the ponds which you have not incorporated a path, or incorporate a path the whole way round the ponds as on the other side of the road. Wildflower turf will help wildlife, grow faster than seeded ground (minimising your impact on the wildlife further) and not need to be cut as often but look 3 times as good, or a path will allow the abandoned land to be maintained and accessed.

I am not impressed by the Affordable Rent dwellings that you are putting on this plot, although I am not opposed to help to buy schemes that I believe are yet to be decided upon. There are recent developments which border this land also has these affordable rent housing things and there are houses that sit empty on there - this feels distinctly unnecessary - or like we're asking the same solution to fix a problem it didn't fix before - just because you can tick a box on a sheet does not help the community. Furthermore, why is the borough open to more housing when 2717 properties were classified as empty, only recently (in 2019)? Should those empty dwellings not be being filled before more are built?

In my initial contact I asked when the work would start and how long the work would last. I am distressed to hear that the work will be over 8-9 years! I work from home and can see and hear

Ellison Fold Way from my window - meters away. 8 or 9 years of disturbance will be a large, long term issue for me - and I'm sure many others who now have to work from home due to the pandemic.

If this development is to go ahead, is there any grants or compensation I can access to get triple glazing, soundproofing or to help out with rent of spaces away from building work and machinery traffic noise and disturbance? 8-9 years! I was expecting 2-3. I was also told at the time of buying my house that building like this would not be an issue due to the mineshafts and the road not being fit for heavy loads (which is not your lie to have been told) but still this is not what I bought in for.

For personal disturbance and wildlife reasons I am against this build. In summary I suggest that the 2.3% figure is false. I ask that you take into consideration the effect the pandemic has had on this response and take the signatures on the petition more seriously than in "normal" circumstances. I also ask that if this build is to move forward you work with wildlife experts to ensure that this partially green belted land is impacted as little as possible, with simple changes such as hedges instead of fences.

Lastly, I thank you for incorporating greenspace, ponds and trees into the plans - although I feel a little more is needed to ensure we're doing all we can to safe guard the fast-decreasing numbers of hedge hogs and badgers that both live on this land - I feel like this is already a major consideration in this development and therefore hope you take on some of these small extra changes.

P.s "Darwen" is spelt wrong in the header of the "Draft Statement of Comments" doc.

Objection – Lydia Welsh, 5 Milton Close, Darwen. Received 23/02/2021

In addition to my most recent email objection, I have just had a look at the houses and materials that are to be used - I find them ugly.

They look like the failed, cheap new builds that have been built around us recently and do not match the original sought after housing. The most wanted housing around here are more rendered. I suggest more rendered housing be a part of this rather than the all stone houses. The houses on Kier Livings Taylors Green and The Sidings off Grimshaw Street show a prettier style of housing in keeping with the area. I find the all stone buildings very square and industrial and ugly. I ask you to also look at the nice modern homes that incorporate all stone, mixed tone brick and render - such as the lovely looking more modern homes nearby at - The Sycamores - Story Homes. There is too many ugly all stone homes bult in this area already - they stick out like a sore thumb on the landscape and amongst the rendered and red brick housing in this area, although a bit of stone is nice.

I hope that this can be taken into consideration.

Thank you for your time.

Objection – Garry Nicholson, 3 Burns Walk, Darwen. Received – 25/02/2021

To whoever it concerns,

This email is to express my deep concerns about the proposed development on Baileys field, and object to it massively, apart from the fact that Baileys field is part of Darwens history, is a beautiful site which is home to lots of wildlife, the practicality of the development is absolutely mental, whatever are you thinking?

There is absolutely no infrastructure in place to deal with the extra housing, schools, shops, roads, the whole 9 yards, not to mention the sewer system which is already overloaded (I work for UU and this is fact!) are you trying to turn the A666 into a river? We don't want or need more housing in Darwen, there are already empty properties all over, as you know full well, there are more empty houses in our borough, than any other in the country, give your heads a wobble, anyone voting to approve this development must be out of their minds, or receiving large sums of money in brown envelopes, we will be watching, if you want re-electing I suggest you listen.

Objection – Barbara Henderson, New Meadows Gap Farm, Cranberry Lane, Darwen. Received – 26/02/2021

I am emailing to express my sadness that another piece of Darwen's green space is being built on, wildlife is being squeezed out and the town is completely losing its character and identity. I hope the decision to build on Bailey's field and any other green spaces or green belt will be reconsidered and Darwen will be left alone. We have got enough housing now.

Objection – Julie Baker, 65 Avallon Way, Darwen. Received – 26/02/2021

To whom it may concern

With reference to planning permission for the above reference number.

I am a resident of Avallon Way and have been for over 20 years. I am writing to voice my concerns and objections to the proposed building on the green fields at the back of Avallon Way, namely Bailey's fields.

We are aware that the new road was built to accommodate a new housing estate, (against our wishes), but as far as the residents are concerned there was no plans to build on Bailey's field. This will be the only piece of land left for residents to

utilise once building has finished on the other fields and this will mean there will be no green space left if building takes place on Bailey's field as well. The fields are currently used by most of the residents who appreciate the locality of having

An open space where they don't have to drive a car to. Our dwindling green spaces will cause residents to have to travel to existing parks and playing fields causing over populating of those areas and more unnecessary traffic on the

Already congested roads leading to more pollution. This space is vital for the local residents as it used for walking, taking dogs out and children playing on but it also gives a sense of freedom as people feel like they have an open space

In an otherwise crowded area and also helps with mental health and wellbeing. As you are probably aware we are going through a global environmental crisis right now and I feel that we all have a part to play by doing our bit to help stop this.

Every green space that is sacrificed to housing or business development has a detrimental effect on our environment. The cutting down of trees alone effects drainage and water run off not to mention destroying natural habitat for wildlife. At the moment

We have a plethora of wildlife currently making Bailey's field their home;- hedgehogs, a herd of deer, bats, owls, sparrow hawks as well numerous other mammals, birds and insects, all vital to the eco system.

I am strongly opposed to this development and wish to keep Bailey's field as a protected green space. I feel it is the council's responsibility to play a part in helping protect the environment, if only a small part, by keeping some green belt and also

help and support local residents by keeping what they want and need, which is an open, green space.

Thank you for your time and consideration into this matter

Objection – Mrs V. Coyle, Shelley Grove, Darwen. Received – 01/03/2021

To whom it may concern

Regarding the planned development of 343 dwellings at Ellison Fold Way Darwen I must protest in the strongest possible terms.

None of my neighbours are in favour of this development for a number of reasons.

The little greenbelt land that we have in the area is quickly being eroded in favour of more housing.

It used to be a lovely, quiet, rural neighbourhood and where I live there are many elderly and disabled residents who chose to live in this area for its peaceful surroundings and wildlife.

Building Ellison Fold Way took a lot of the trees and habitat away in favour of a 'Road to Nowhere!' a costly exercise for seemingly no gain except to facilitate the opportunity for yet another housing development.

There are already plenty of New housing projects in East Darwen and Pothouse either recently completed or proposed. I fail to see the logic in causing more disturbance to both wildlife and residents, some of whom have lived here for over 50 years.

Please take our concerns seriously as we are totally opposed to this development application.

Objection – Mr & Mrs Smethurst, 98 Ellison Fold Terrace, Darwen. Received – 01/03/2021

Dear Mr Prescott

We are writing regarding the above proposed development on Ellison Fold Way. As residents of Ellison Fold Terrace, we are very much against this. As we live in the very last house on the road, and thus very close to the site, we have already put up with much disruption from the building of the road itself-ie: constant noise, dirt, vibration, increased traffic from workers, as well as the increased foot traffic from walkers, who use our road as a shortcut.

This proposed building site is such a beautiful area for local residents to walk on with their families. Before the road came, we were frequently visited in the fields by deer, horses and rabbits, all of which are long gone. It is an area of natural beauty which should be left unspoilt.

We are already a busy community and do not need the added volume of traffic or dwellings. This was once a peaceful area. It has now been spoilt by a road and is now due to be finally killed off with yet more housing!!

Please think about the worries of local people and listen to our voice.

Objection – Paul Coyle, Shelley Grove, Darwen. Received – 01/03/2021

To whom it may concern

Regarding the planned development of 343 dwellings at Ellison Fold Way Darwen I must protest in the strongest possible terms.

None of my neighbours are in favour of this development for a number of reasons. The little greenbelt land that we have in the area is quickly being eroded in favour of more housing. It used to be a lovely, quiet, rural neighbourhood and where I live there are many elderly and disabled residents who chose to live in this area for its peaceful surroundings and wildlife. Building Ellison Fold Way took a lot of the trees and habitat away in favour of a 'Road to Nowhere!' a costly exercise for seemingly no gain except to facilitate the opportunity for yet another housing development.

There are already plenty of New housing projects in East Darwen and Pothouse either recently completed or proposed. I fail to see the logic in causing more disturbance to both wildlife and residents, some of whom have lived here for over 50 years.

Please take our concerns seriously as we are totally opposed to this development application.

Objection – Karen Archer, 65 Avallon Way, Darwen. Received – 01/03/2021

Planning reference 10/21/0122

Plans to build on Bailey's field at the back of Avallon Way.

To the council.

I am writing to voice my concern and to let you know that I am very strongly opposed to the building of houses on Bailey's fields which are at the back of my house on Avallon Way. To begin with, the field is on a very steep incline and so any houses built on there will not only block out natural light but will overlook us, taking away all our privacy and also be a considerable eye sore. The new road at the back of Lisbon Drive was built specifically for the new estate which is due to be built on the fields there. This will be huge development of some nearly 400 houses and if you average 2 cars per household then that's approximately 800 more cars on the road for that development alone. This is another major concern as the roads in and out of Darwen are already congested as it is and with this development and all the others currently under way or completed it will cause mayhem on the roads of our small town. Another issue is the effect it will have on the infrastructure of the town. Schools, Doctors, dentists etc are already full to capacity. Instead of building new housing on green belt land, which is used by local residents, the council should think about investing and regenerating the central area of town and making that area more desirable to live in. We keep hearing the same excuse that there are not enough homes in the area and yet there are approximately 2000 empty houses currently for sale or rent in Darwen not to mention brown land that could be utilised. The town has so much potential for being a great place to live if we only invested more into it. Building new houses that are unaffordable to most people is not the way forward. Please stop taking away our green belt and open spaces. The environmental impact alone will be devastating not only for us but for our children. We want future generations to have green outdoor space they can enjoy and not be surrounded by just bricks and mortar.

Objection – Kate Youd, 67 Avallon Way, Darwen. Received – 02/03/2021

Planning reference no: 10/21/0122

I'm writing to you to object development on Ellison Fold Way on the above planning application. I am a resident of Avallon Way and share concerns with others in the area, issues which will affect the community as a whole and the wildlife in the vicinity. Some of the issues I'd like to raise are as follows:

- Loss of habitat: Bayleys field has deer, sightings as recent as 18/02/2021, picture attached taken by myself. The herds burrow in the bushes and shrubs in which are to be destroyed by the development.
- Flood risk/surface run off: in heavy rainfall and during periods of melting snow the new pond along Ellison Fold Way is full to the brim and has overflowed this winter, risking flooding in the homes at the back of the Anyon Street estate. Also, I experience high volumes of water flowing like a waterfall through my garden and pooling at my back door in bad weather, if development takes place behind

my house there will be more surface runoff water making the risk of flooding much higher.

- Loss of green space in the area: the area is used by myself and local residents as a dog walk route and recreational area for exercise.
- There is a lack of amenities to support the influx of people to the detriment of the community as a whole! Schools, doctors and dentists are already full, and wait times for appointments are already up to 3 weeks in my experience. There are not enough existing facilities for the extra residents of the new development to be able to receive education or health care.
- Issues surrounding town becoming rundown: empty housing is a massive problem in Lancashire, especially Darwen. Town needs time, money and energy spent to improve pavements and the feel of the town which is currently in a sorry state and filled with homes only slum landlords will buy. To develop peripherals only worsens these issues.
- Transport infrastructure- I work 4 miles from home, in Shadsworth Business Park and my commute takes 30-45 minutes! I can see first hand on a daily basis that the roads are already used beyond their capacity. The impact of idling traffic on the air quality and pollution will be worsened in these areas with increased traffic flow.

There are other areas of concern with regards to the visual impact of the development and the loss of privacy when houses are built back to back with my property. Needless to say about the process of the build and the inconvenience, noise disruptions etc. which I understand are not usually considered when objecting a development but the amount of time this is going to take to complete is very concerning.

I also have major concerns about the historic coal mines under Bayley's Field - the quantities and exact locations of which are unknown. Houses built on this kind of land are going to be at risk of subsidence/sinkholes, and are going to be difficult to mortgage and insure.

The consultation for this development has skipped all usual processes - the only formal letter received from the council regarding this development was the letter dated 16/02/2021. There have been no hearings, which during COVID-19 could have been conducted via video link due to social distancing guidelines. However, on discussions with local councillors I understand this development to be a 'done deal' - I feel the voices of existing residents have been completely disregarded.

In conclusion, I firmly object to the development and I feel the plans for 343 new build homes is not in the best interest of the citizens of the surrounding area and certainly not for the wildlife that we share the area with.

I strongly urge you to reconsider your decision.



Objection – Lorraine Johnson. Received – 03/03/2021

To whom it may concern

I wish to voice my concerns re the application (Ref : 10/21/0122) for 343 new dwellings at Ellison Fold way. My concerns are for the congestion of traffic, where is all this extra traffic going to go, also the noise and disturbance it will create. We have young children who play out and this extra traffic will cause great concern to their safety. This will put extra strain on GPs Dentist, Schools etc, they are very busy as it. This is a busy community and really do not need any more houses. Families enjoy going for walks, runs, bike rides and it would be a great shame to lose all if this.

Objection – Graham Treagust, 40 Lisbon Drive, Darwen. Received – 03/03/2021

Hello.

In the planning application it states "the layout will aim to minimise the impact on existing properties. The proposal will ensure suitable separation distances are achieved "...when I look at the plans there is a house to be built only a few feet from my back fence...this will surely encroach on our privacy and have a big impact on us.

Objection – Verity Holmes. Received – 03/03/2021

Hello,

I am writing to lodge a complaint regarding the proposed new development for housing on Baileys Field.

It will cause noise and disruption to the area which is beautiful and quiet at the moment and a popular walking spot for local residents, traffic on the roads which will be greatly affected. We are purchasing a house on 52 Conniston Drive, Darwen BB3 3BJ and our garden is very open and overlooks this field, not only would it ruin the view for the residents on Conniston Drive and other streets, but would affect the privacy of our gardens massively and our views.

We love the area around Pothouse/Priory but feel it's just turning into one huge estate of houses!

Objection – John Hutchison, 70 Ellison Fold Terrace, Darwen. Received – 03/03/2021

Dear Sir/Madam,

I would like to take the opportunity to register my concerns and objections to the proposed construction of 343 dwellings on the land at Ellison Fold Way, Darwen as detailed on planning application 10/21/0122.

For ease of reading, I have listed my concerns by bullet point below.

- At a time when the government is encouraging citizens to take daily exercise during a Pandemic and for valid health reasons beyond, the council proposes to remove one of the

very few public spaces for exercising at the Marsh House side of Darwen. We cannot be expected to walk through the town to Bold Venture to access park and recreation facilities.

- The environmental aspect is a concern. As a regular walker over Bailey's Field, I regularly see a wide range of wildlife such as deer, rabbits, birds of prey who will suddenly find their native environment destroyed, when the council could have used one of the many brownfield/ex industrial sites around the town.
 - Infrastructure - Roads. How do you propose to meet the additional demands of the road infrastructure, particularly at junctions 4 and 5 of the M65 when another 686 cars are using the roads, in addition to the thousand or so others from other newly built homes in Darwen? Roman Road between Marsh House Lane and Blackamoor is already totally inadequate for the volume and intensity of traffic.
 - Infrastructure - Amenities. It would have been a good idea for the council to also explain how the recently announced investment in Darwen Town Centre will help accommodate the high volume of new residents in Darwen and how we can improve from being a town of hairdressers and takeaways to perhaps becoming a town centre befitting that of a large town that Darwen will become over a short period of time. What will the council do to ensure infrastructure keeps pace with housing development?
 - Giving residents three weeks to feedback is not what I would describe as a consultation process, but more of a box ticking exercise. The road was built, land sold to a developer and then you ask the local residents for their views and concerns. This is not the correct order for a consultation process where residents believe their views are important and will be considered.
-

Objection – Eileen Eastham, 3 Milton Close, Darwen. Received – 04/03/2021

Dear Planners,

When Ellison Fold Way was initially planned I and many other residents voiced serious objections to it but it went ahead irrespective of our opinions

.Personally , I had concerns about possible flooding of my property, disturbance to wild-life, and noise from vehicles. I did experience flooding of my garden but the site engineers were able to remedy the problem and disruption has been minimal.

I do not think however that the road has achieved its goal with regard to relieving traffic congestion on the A666 and the Olive Lane/ Sudell areas are busier than ever in spite of Covid Lock-down.

I am happy to say that there has been an unforeseen advantage to the "new road" because the level paths have encouraged many people, young and old alike to enjoy walking. It has been a real boon especially for elderly folk and even those physically disabled. The cycle paths are used by parents with their children too. We are always being encouraged to exercise and enjoy the fresh air.

I am very sad to note that our joy in the area is likely to be short lived due to the above application.

How much consideration is being given to the extra traffic that 340 homes will contribute to the area, the lack of primary school places, medical facilities etc.?

I would like to suggest that this application should be viewed in conjunction with the proposal to build another 400 houses at Holden Fold.

Might it be a good idea to hold fire on application ref: 10/21/012 and bring forward the Holden Fold site which does not have any problems with mine shafts, raised ground, flooding etc. Take advantage

of Holden Fold to build facilities and a Primary School, (Sudell school is not suitable for expansion). and other facilities which will be needed. It would put less pressure on the highways too.

Please let us put the "cart and the horse" in the right order. Jake Berry MP has voiced his opinion that 740 houses in this total area will completely swamp the facilities and roads.

Objection – Lisa Bentley, 66 Ellison Fold Terrace, Darwen. Received – 05/03/2021

Good Morning,

I am writing to express my concerns regarding the planning application regarding erecting 343 Dwellings on the Land on Ellison Fold Way Darwen.

I am a resident at 66 Ellison Fold Terrace Darwen BB3 3EB.

I would like to draw the attention to the fact that the land is a dangerous place to be even consider building on with all the mineshafts, but I am sure this has been said many, many times. I am also sure you have heard of one of the shafts opening during the week which is very alarming to say the very least.

The land is a home to numerous wildlife as I have seen lots of deer's and their young up here and wild rabbits in the 20 years I have lived here. Where are these poor animals supposed to go? Uproot will maybe cause a motor fatality maybe with the animals trying to move on.

The amount of traffic that this road is going to create with all these houses is going to be overwhelming as it is busy enough on here most days as it is. The other week Marsh House was blocked off and this was an alternative route. A high volume of traffic going through a housing estate is alarming for children walking to school and dangerous.

There has been no mention of any extra doctors' surgery, dental practice, or school to accommodate the people who would be mad enough to buy these houses. We struggle as it is to get into any of these.

I object to any planning to be granted for the 343 dwellings and am extremely disheartened that the council have just rolled their eyes and thought that this development on this mine filled site is worth considering.

Ellison Fold Terrace residents were unaware of this as letters from the council were not received by a lot of these people.

The area now is a haven for families to walk, cycle and created an area within Darwen where people can meet and have a nice place to be able to sit.

Objection – Deborah Hine, 58 Avallon Way, Darwen. Received – 08/03/2021

I wish to express my concerns relating to the proposed development of Bailey's Field and the surrounding area in Darwen.

Firstly, I would like to ask : why are these houses being built, why on this land and why so many 'unaffordable' houses? How will this development benefit the lives of people in Darwen? This type of housing will not be what most local people could afford. Why are so few affordable homes being

built and has enough consideration been given to other possible sites where no loss of open space would occur?

Secondly, I would like to know how much thought has been given to the problem of air pollution from the additional traffic from 300 plus households (most of which will no doubt have more than one car). Darwen has had serious problems with traffic pollution before, hence the rerouting of the main road some years ago. As these are family sized homes, I presume there will be a lot of traffic doing the school run twice a day as well as people travelling to and from work.

Another concern is the possibility of flooding when this land is built on. How will this be avoided and who will be responsible for any future problems?

Perhaps more than anything, the loss of yet more open space in Darwen will be the most regrettable aspect of these plans. Over the past year, many people have appreciated, more than ever ,the benefits of walking and spending time outside, close to nature. It may not be the prettiest spot, but it is somewhere people can benefit from ,both mentally and physically. The opportunities for this are dwindling as more and more land is given over to development.

As someone who has lived in Darwen all my life, and close to Bailey's field for 28 years, I have seen great areas of open fields become housing estates. If this development goes ahead, this side of Darwen will feel like one huge housing estate, with no parks, woodland, fields or other open space for relief. I cannot see how that is good town planning.

Objection – Mark & Susan Radnedge, 42 Avallon Way, Darwen. Received – 08/03/2021

Dear Planning Department

As we understand it, new house builders are under no obligation to install solar panels onto their roofs, or to install low co2 heat pump central heating.

To us (and many others) this shouldn't be allowed to continue, now that the Government has declared a Climate Emergency, and now that Blackburn with Darwen Borough Council has declared a Climate Emergency too, in July 2019.

Our suggestion would be for the Planning Department to add such clauses to the terms of the Planning Agreement for the Ellison Fold Way development, which would be:

- a). **A minimum of 8 solar panels to every new house.**
- b). **A heat pump central heating system for every new house, instead of a gas boiler system.**

We would also add, that these clauses should also be added to any other new housing development planned within the Borough from now on.

Mineshafts

Regarding the location of the mineshafts on the McDermott development plan for the whole area (the numerous orange dots). **Should there not be a 20m radius, from the centre of any old shaft**, in which no new house should be built on, including its garden boundaries? We think that this is a legal requirement by the house builder, to prevent any future claims against it. Plus a requirement so that a new home can be insured correctly.

It seems that the orange dots are less than 20m radius, and therefore encroach on some of the new houses planned.

The orange dots that are shown on the development plans, are in fact the main shafts that were sunk many years ago, to 2 coal seams. The first being just 100m from the surface. The second about 160m below.

What are NOT shown on the McDermott Homes plan are the ventilation shafts, that would accompany such large scale coal mining in the 1800s. These smaller shafts are not even recorded on The Coal Authority website, as original maps probably would not include such locations. Each one of these ventilation shafts should also be located, safely capped, and also should have the 20m exclusion zone radius from their centres.

The exact location of any of these associated ventilation shafts could be anywhere across the whole site.

Furthermore, it seems that one of these ventilation shafts has recently opened up, unexpectedly, in the middle of the main Bailey's Field. (See attached photo).

We do feel that future owners of some of these proposed properties will encounter subsidence problems, possibly sinkholes appearing, due to the rise and fall of the water table. However, the reasoning from the Council, the house builders and the Coal Authority is one of "all mining subsidence SHOULD have ceased by now."

But then again, judging by the ventilation shaft suddenly appearing recently, subsidence probably has NOT ceased.

In the past, undulations have appeared in the small lower field between the 3 cottages and Lisbon Drive, south of Ellison Fold Lane, down to the new road.

A large undulation has also appeared in the main Bailey's field towards Coniston Drive (north east).

Bearing in mind that there is a weight restriction of just 7.5 tons along Ellison Fold Way (because of the ground conditions), wouldn't there potentially be a subsidence problem created, due to all the heavy plant equipment needed to build the development? Such equipment, like the JCB JS220LC excavator, weighs over 22 tons (3 times the weight restriction for the new road).

Therefore, we think that the logical and correct procedure would be for the developers to use the more effective 'piled raft' type foundations for each dwelling, instead of just concrete. This would give better protection from subsidence for each new dwelling.

Housing has been built around the perimeter, but this remaining section was probably the most heavily mined area. And this could be why there has been a reluctance to build on it. George Wimpey Homes backed out from building around 500 homes in the year 2000 (after a 2 week site survey). Miller Homes also backed out of their proposed development.

Is it worth the risk, when there are probably better sites available, without mineshafts?

Loss of Recreational Green Space

Having said all the above, we do think that the best solution would be to leave the main Bailey's Field as a recreational green space, or be designated as 'Parkland'. This is the area of land from the 3 cottages across to St James' estate. In fact, this area has been used like a park, by many local people, for over 40 years. There are a network of paths to show this. (See attached aerial plan from Google Earth, looking north. Ellison Fold Lane and the 3 cottages are at the bottom of the image).

If any future dwellings are built near to the main field, eg Ellison Fold Way Phase 1, then by leaving the main field open, even more people and families will have the benefit of this facility. The health benefits alone, both mental and physical, are reason to keep Bailey's Field accessible to all residents

of East Darwen. Plus the wildlife and nature benefits, as it is a rare 'wild meadow', something which are now being positively encouraged by the Government.

And, especially during these extraordinary Covid 19 pandemic times, it is a place for people to meet outside, not indoors (when restrictions are lifted), and a very welcome open space for key workers.



Objection – Mark & Susan Radnedge, 42 Avallon Way, Darwen. Received – 15/03/2021

Dear Planning Department

Since our previous email of 5th March, I must bring to your attention the following YouTube video link below, recently posted.

This shows, in great detail, what has been revealed on the Ellison Fold Way Site, after the appearance of a small hole at the surface, last month. You can see that this is one of the many ventilation shafts that **MUST** be present on a shallow mineworking site such as this one. You can also clearly see wooden beams supporting the stonework, still in existence after all this time.

It also means that the site survey undertaken by REFA was inaccurate, as it COMPLETELY FAILED to locate this shaft, after a total of 84 trial pits and other forms of extensive ground surveillance.

There has been a serious underestimation of risk.

Many more ventilation shafts such as this one, will be present across the whole of the site, as this was the practice of shallow mine workings of this nature during the 1800s. All need to be exactly located, safely capped and should have a 20m radius exclusion zone from each centre. There are also the mine workings along the shallow seams to consider. Any shafts that are not located will therefore not appear on any solicitor surveys, when the dwellings are purchased.

It also means that if development did proceed, there would be an infringement of The Coal Authority guidelines too.

This states '**Building over or within the influencing distance of a mine entry raises significant safety and engineering risks and exposes all parties to potential financial liabilities, and as a general precautionary principle, should wherever possible be avoided.**'

We don't mean to be exaggerate by saying this, but this proposed development could be a multi-million pound catastrophe in the making.

We therefore urge the Planning Committee to completely refuse this planning application.

https://m.youtube.com/watch?v=3UCoFI2Aj_0

In the video link, you can tell they have located the correct spot on the Ellison Fold Way site. The shape of the hole exactly corresponds to the photo attached. As does the wire fence and the barrier on the ground.

Objection – Mrs Carol Clarke, 10 Wordsworth Gardens, Darwen. Received – 08/03/2021

Dear Growth and Development Department Team,

I am writing to express my opposition to Application Ref :10/21/0122 for proposed building of 343 new homes on Bayley's Field.

The land is a precious greenspace. The land is much loved and used by walkers and dog walkers. Sometimes horses can be seen exercising on that land. Occasionally, deer are seen feeding there.

The proposed development would destroy meadow flowers, including wild poppies. It would destroy habitats. Deer, rabbits, field mice, frogs, dragonfly, kestrels, ducks and many other birds are among the animals affected.

There is already a big housing development planned, not far away, on the site of an old school. Resources such as healthcare, dental care and school provision could be put under strain.

The land itself is very boggy. During wet weather, water runs in streams down the hillside. The land is dotted with mine shafts, as indicated on the plan. This does not seem like good land to build on.

I request that Application Ref : 10/ 21/ 0122 be denied.

Objection Shirley Hewitt, 15 Shelley Grove, Darwen. Received – 08/03/2021

I object to the following application to build any dwelling never mind 343 dwellings on the site of Ellison Fold Way, Darwen- planning Application Ref No -

10/21/0122.

The site is a high risk area due to coal mining shafts and under 2 weeks ago another hole appeared in the ground which shows the movement of the land is still happening and is extremely unsafe.

The development of the road- Ellison Fold Way caused further movement of the land and the site workers had to move their work cabin due to the fact that it started to sink due to the unstable ground underneath- they had to move their work site to the end of the area close to Marsh House lane.

The council seems to be under some kind of illusion that 343 properties will remain above ground with no subsidence!

The building of the road caused many problems for the residents on Shelley Grove some of which are still ongoing which certainly need to be addressed - we have United Utilities out every month due to the flooding of our road because of drainage issues/problems caused by the road being built and the lack of proper drainage you actually built into the scheme. The drainage is totally inadequate now never mind if there is further development.

The schools in the area are already overrun and there is an issue where even siblings cannot even get into the same school as their brother or sister.

Our dentists have waiting lists for new clients and our local doctors surgeries are already problematic with waiting times due to the amount of patients on their books.

Our roads around the area are far too congested and I am assuming you have sent this application to the schools to see as when the construction of Ellison Fold Way was underway the amount of near accidents that happened outside and around Sudell Road School was frightening.

Darwen has a large amount of houses that are empty/derelict in need of modernising or developing, these are the areas that as a council you should be looking at not new houses that are going to create many problems as mentioned above but also congestion problems/noise pollution/destroying wildlife.

Baileys Field is not safe to build on and never has been.

Objection- Susan Rushton, 51 Perry Street, Darwen. Received – 08/03/2021

I am writing to object to the building of houses on the area which includes Bailey's field.

The Core Strategy has the following strategic objectives:

D) Improve the quality of the local environment and the Borough's physical setting

My comment:

This is a beautiful, natural place. Building over it would be a detrimental step. Bailey's field is metaphorically and literally a breath of fresh air compared to the existing surrounding development. It provides visual and ecological relief to the densely packed housing stock in the area.

I believe we should preserve the character of the area as a tranquil landscape with large, open skies, offering fantastic, panoramic views over the town to the Moors opposite.

F) Minimise the Borough's environmental footprint

My comment:

Building over a field home to a diverse range of wildlife does not minimise the Borough's environmental footprint.

G) Be ready for the effects of climate change

My comment:

Conservation standards of the 1990s are not the standards we should be holding ourselves to now. Bailey's field is a form of natural wetlands, with a unique soil hydrology in relation to the fields around it, characterised by seepage year-round. Unusual characteristics make it attractive to a more diverse flora and fauna. This type of land has a cooling effect in the summer and helps hold rainwater.

Preservation of this type of environment is strongly supported by national conservation groups. As one small example, it is home to a wide range of mosses that act as a carbon sump. In other parts of Lancashire, mosses are being replanted to help mitigate against climate change. It would be a very unwise step to knowingly destroy an area of special interest like this.

H) Consolidate the roles of the main settlements in the Borough: Blackburn as a sub-regional centre; Darwen as a market town with a distinct identity.

My comment:

Part of Darwen's distinct identity is its green, rural character. Darweners have a long-standing love of natural, outdoor spaces. Our cultural identity has been shaped by a history of protests and legal action by ordinary people that opened up the moors to local people for walking.

Bailey's field is priceless for local people to take outdoor exercise in a natural space. I estimate 5,000 plus people live within a few minutes' walk of the area. It is (relatively) flat and accessible for people who are no longer fit enough to climb up to the tower or to the playing fields. Building houses over a place used for exercise would make a town regularly in the national press for its health inequalities more obesogenic.

Long term, it will be much easier to attract people to Darwen if it retains a more rural character and if the council can be demonstrated to be serious about conservation.

K) Promote the development of mixed communities

My comment:

This is the only place I can think of in my neighbourhood where people of all colours, backgrounds and ages mix together. I often see people with walking frames, walking sticks and mobility scooters exercising in the area.

I am also of the opinion that the following points from the Blackburn with Darwen Core Strategy 2011 make the development unwise, risky and/or untenable:

3. Development will only be permitted where it creates no unacceptable environmental impact.

Examples of unacceptable impacts include but are not limited to:

- i. Development which would, either directly or indirectly, result in an unacceptable contribution to climate change; or which does not incorporate adequate measures to adapt to the predicted effects of climate change;
- ii. Development in areas of high flood risk, while the development can be accommodated elsewhere or while mitigation measures are not available;
- iii. Development which will exacerbate problems of flooding elsewhere;
- iv. Development which creates an unacceptable increase in the need to travel by car [i.e. for exercise]
- v. Development which results in the loss of or unacceptable damage to environmental resources including habitats and networks of habitats, landscapes and built heritage;
- vi. Development that would, in isolation or in combination with other committed or planned development, lead to an unacceptable deterioration in air quality;
- vii. Development that would be at risk of ground instability, unless that instability can be addressed through appropriate remediation or mitigation measures.

Last but not least, I was horrified to see Councillor Riley dismiss objections to the project in the local paper ahead of the consultation and (presumably) describe the area I was born and still live as 'run-down terraces'. I very much hope he has been misquoted. No area of Britain should be dismissed in such a heartless way by those responsible for it.

Most of the housing stock in the area is perfectly fine and moved to a place like Shrewsbury would be worth three times the amount. People should be encouraged to maintain and respect their properties, not told they live in a run-down area.

The character of a place comes from its leadership, from the beauty of its natural, wild spaces and the amount of ongoing investment in its existing housing stock. If you want to add value to the town and make it a place where people are happy to live, those should be the areas to address.

Objection – Mrs Cameron, Shelley Grove, Darwen. Received – 08/03/2021

Im late in sending this e-mail because I think its a done deal, but at the last minute I felt I had to voice my thoughts.

Aside of all the damage to the wildlife etc, each house is going to have at least one car, how will all the traffic that there will be, get out in the morning rush hour? Marsh house end is tight, and whoever thought up the Ivinson rd exit cant live in the area- why make it easy when you can make it hard?

Can councillor Riley tell me what Darwen has to offer all these people that will queueing up from Manchester and Bolton to buy these ugly houses-when he does'nt even live in the town? I do and have for 70years, and right now its got nothing to offer, no jobs, no shops to speak off, most people struggle to get a dentist or doctors appointments- not to mention the schools.

The town is on a downward spiral, its dirty and down trodden, unfinished builds, empty buildings left ripe for vandals. Get the fundamentals sorted first- make it a town to be proud of- clean and tidy with decent shops instead of hairdressers and take aways, maybe think about building more bungalows for the older population that keep our town afloat, then they could move and free up larger family houses.

If you must go ahead with this proposal at least give us something that might soften the blow. Im no architect- but come on- the style of houses proposed are hardly attractive, and wont attract the people Mr Riley thinks are going to be banging on the door to buy.

Objection – Catherine Terzic, 90 Ellison Fold Terrace, Darwen. Received – 08/03/2021

4th March 2021.
To whoever it may concern,
I write this letter to oppose
the proposed Housing development at
Ellison Fold way Darwen.
I do not agree with the proposal
to build these houses on this land.
I do not think that building these
houses here will benefit the area at
all and it will have a totally negative
impact on the surrounding environment.
To begin with, there isnt enough
infrastructure in the area in the
first place to accomodate the volume

of people that you are trying to attract
to the housing development.
There isnt enough Schools or health
care facilities and a total lack of
reliable, affordable and available
transport links to anywhere.
There are also no proper opportunities
for sustainable employment within
the area.

As per information leaflet from McDermott Homes there are already 139 Houses at Cranberry Meadows being constructed, Also another Development taking place in Lower Darwin and another 400 houses in the pipeline for Development on Holden fold. 343 on this Ellison fold way Site is way too many considering that only 20% or 25% of this figure will be only be 'Available' as 'affordable' which is quite a low number as these houses no doubt are going to be very expensive

to purchase in the first instance.

As for the 'Highway' that was built which cannot be described as a 'Highway' is not sufficient enough for the volume of traffic that will use it, as it is very much just a road to nowhere. All this road does is push the traffic into other built up residential areas that cannot take any more traffic on their streets as they are simply not suitable for heavy volumes of vehicles on these roads due to space and weight restrictions.

The loss of wildlife that will occur is very sad indeed and will have a devastating affect on the eco system in this area. There are Kites, owls and bats that live in the trees on this land and are regularly seen in the surrounding area. There are voles, field mice, moles, frogs and newts that have made this

field their natural habitat. This field is regularly used by a lot of residents in Darwin and is well known all over Darwin as it is used for recreation by people of all ages. People walk their dogs and children run freely on the field playing, discovering and using their imaginations in the fresh air.

People just walk the field and admire the view for their general wellbeing. The health benefits of this is invaluable especially in these times and in the last 12 months more and more people have been using the area because of this. I myself use this area all the time for exercise and for my own mental health and wellbeing as I have for the last 35 years and I would like to continue to do so in this natural environment as I am sure that a lot of other residents

within the area want this as well. Please do not take this land away from the people of Darwin!

There is a substantial amount of housebuilding taking place in the borough at the moment already and I am sure that at this time this is more than adequate especially, as the current economic climate is very very uncertain going forward.

Objection – Otis Christine & William Whittaker, 88 Ellison Fold Terrace, Darwin. Received – 09/03/2021

We are writing to you today to inform you of how unhappy we are to hear about the new housing development of the shocking 343 new dwellings being built on Ellison Fold Way.

Over the past couple of years Ellison fold way and Baileys field has become safe haven for the community. And a place where you can relax after a hard day at work. We feel that building these houses would have a masive impact on the mental, physical and social wellbeing of the community that use this space as a place to de-stress by not being able to enjoy the views that come with it.

We feel these houses will be a recipe for disaster, causing antisocial behaviour by the increase of people living there. We DO NOT want our privacy being invaded due to the influx of people using Ellison Fold Terrace as a by pass down through to town.

We also have many other concerns regarding the new developments such as;

- Highway safety .
- Traffic build up.
- Noise pollution.

Negative impact on wildlife.

Objection – Taryn Baker, 4 Sunnymere Drive, Darwen. Received – 09/03/2021

Dear Planning team,

Ref. 10/21/0122 - Land at Ellison Fold Way Darwen BB3 3ED - consultation comments

Why is this beautiful countryside area being developed rather than been left as protected greenbelt. This patch of land provides beautiful views and landscape for much of West Darwen. It is so important to mental health, wellbeing and to the appearance of the town that there are pleasant views and open spaces to walk though and enjoy. Every patch of green land seems to be having it's greenbelt status removed and being thrown at developers for building unnecessary properties. My countryside walks on public foot paths in green areas is increasingly dominated by walking through urban development. Whilst I acknowledge the need Nationally for properties I do not think more are needed in Blackburn with Darwen. There are so many deprived areas the council would do better improving and rejuvenating brown-field sites rather than saving a few pennies and looking for green spaces.

I haven't been able to find the environmental impact assessment as part of the online documents. Surely there should be a detailed environmental assessment for a development of this scale? The Geo-Environmental Investigation doesn't seem to open or have any details. This is clearly an important habitat area and I am concerned that there have been no thoughts or plans as how to check there aren't any protected species in the area. What is the councils latest environmental plan? I am interested to know what Blackburn with Darwen is doing to protect our green spaces and the environment.

My next concern is whether these houses actually be affordable for locals? In Blackburn all the new 4 bed properties seem unaffordable and unattainable for the majority of the population. This seems to be yet another predominantly detached house development which other than bringing the council more council tax is not an efficient use of land or provision of genuinely affordable housing.

I am concerned by the lack of outreach for the consultation. The distribution of 1000 leaflets seems very few compared to the development size of 343 dwellings? I would have expected 5 times as many people at least to have been contacted for a meaningful consultation especially given lock-downs. I feel that this is a poor attempt at engaging with the locals and in fact is intentionally avoiding contacting and reaching out to the public for consultation.

Having looked at the Transport Assessment. Whilst the intention is for Ellison Fold Way to provide the main access there is no reference to the fact that clearly the already congested Blackburn Rd will receive yet more traffic with no improvements. How has the Transport Assessment managed to be

written with just 1 reference to the A666? Travelling through Darwen at peak times is unbearable and this negative issue seems to be what Darwen is notorious for. Given this planned development has the council got a plan to improve transport links through Darwen given the volume of planned housing?

How many parking spaces per property (not in a garage) are planned? I haven't been able to find this information but from the drawings it looks like the driveways have very little car parking provision. For a 4 bedroom house I would expect there to be at least 3 car parking spaces (not including a garage) to ensure no need for on street parking and blocking up the access roads.

Has the flooding and drainage risk assessment adequately considered the impact on properties below this development? The Gib Lane development seems to have done a good job of flooding the gardens of properties along Livesey branch road and I do not want to see a repeat of this.

What is the plan for open space within the development so that children have a safe area to play? Is there going to be investment into a new park? Are you going to build somewhere for children to use? Play areas are essential for children and young people to spend time for general wellbeing and to help reduce anti-social disorder.

I am also concerned about the school availability in Darwen. Has consideration been given to the vast increase in school places that this development will require?

How much community funding is the council going to receive from the developer towards community projects?

Objection – Allison Leach, 29 Avallon Way, Darwen. Received – 09/03/2021

I wish to submit an objection against the building of homes on Bailey's field, due to the numerous mine shafts across the land and the preservation of green spaces.

Objection Helen Tyson, 75 Avallon Way, Darwen. Received – 09/03/2021 & 07/04/2021

Plans keep changing from proposed developers we don't know how far up the field they will actually be going and how much if any green space will be left. The trees that go up the lane are they not being retained if not why not.

These fields are used by many people on a daily basis for walking either with or without dogs.

Darwen town was built in the valley with green hills either side and as such provides a green environment for the town and building on many of the green hills now and in the future further erodes the character of the town and why people like to live here. Does this not go against Policy 41.

On the other side of the valley it has many park amenities to choose from. This side of the valley both Bailey's field and the field above provides an outlet for many people locally to have access to a green space (without having to get into a car to cross town to get to one).

The playing fields at the top of pole lane, although a green space can in no way be a substitute for baileys field and the one above. I hope the developer if planning is agreed does not decide that as there is a green space locally(blacksnap playing fields)that this allows them to reduce down any green space on their plans because of this.

Deer can't be seen there or falcons/kestrel nor the large owls that fly across from the otherside of the valley when the farmer has cut his field. Nor can you see the number of butterflies/bees and other insects and wildlife that thrive on the long grass over summer. Has local plan 2 policy 9 with regard to the above been looked into at all along with Reg 105 conservation of habitat and species has the proposed sites been evaluated prior to any disturbance to the land.

Children love to swing on tree swings that are in use in the area. People love to walk and sit on a bench at the top of the hill and look at the view across town and to the tower especially on a sunny day. In winter when its snowy its perfect for sledging.

The fields are an asset, they may not be the prettiest , like other parks and woods but they are a valued green space for many locals, especially those that do not have transport. Even if you do have transport you don't necessarily want to get in your car to the otherside of town to take out your dog or just go for a walk for your mental health. You want something that is local,not adding to your carbon footprint with car journeys.

Also with all the planned developments in Darwen where are the new schools and other amenities for all these people moving to Darwen. It is stated that you do not plan on any of these and their is availability in "Blackburn schools". How does all this fit with reducing "carbon footprint" you expect people to drive children to and from Blackburn twice daily thus increasing traffic and carbon footprint not to mention inconvenience of the time involved for very busy families who just want their children to go to a nearby school, again one reason people like to live in Darwen. How does this fit with your "local plan" for travelling by non car means and encouraging walking?

I believe there is a bridleway across the fields is this to be retained or will that go by the board too as people use this for their horses too.

Is it necessary to build so much on the green spaces of Darwen.

Objection – Mrs J Taylor-Gaskell, 32 Coniston Drive, Darwen. Received – 09/03/2021

I wish to submit my objections to the proposed development of 343 houses on Bailey's Field as follows:

- 1 Loss of yet more green land when there are many empty houses in Darwen and unfinished developments such as at Belgrave.
- 2 Derilict sites such as at the old Moorland School which already have sewers, electricity etc - these are eyesores and currently being used by travellers and should be developed before the beautiful green areas.
- 3 Bailey's Field is home to deer, bats, foxes, badgers and other wildlife. The planned development endangers these animals and is reducing their natural habitat.
- 4 Bailey's is a communal area of natural beauty providing mental health wellbeing to the community. Loss of sites like this will be detrimental to the community.
- 5 Loss of a natural area which provides space for children to play, families to exercise their pets safely.
- 6 The local roads are already in a terrible condition and will be made worse by the volume of extra traffic.

7 The local infrastructure (schools, healthcare) is already under great strain. The proposed development will attract external buyers looking for affordable housing near the motorway but the local facilities will struggle to cope.

8 The land is full of mineshafts. This development will cause structural instability and drainage issues. How is it feasible to build 343 dwellings?

9 De-value the local houses.

Before losing yet another green area please develop the derelict sites, invest money in the local facilities and roads, support the community and Darwen. Green issues such as wildlife preservation, pollution, global warming should be priority as should the physical and mental health of Darwen as one of the poorest areas of the North West. These dwellings will not be affordable to most locals, only commuters who look for cheaper housing but invest their money in Manchester and the like where they work.

Objection David Taylor, 24 Coniston Drive, Darwen. Received – 09/03/2021

I'm objecting to planning reference 10/21/0122

I know that planning on this site has been in place for years but I don't think that the original plan has moved with the times. The site has proven to be a popular site for exercise which due to covid is necessary more than ever. It will be yet another soleless housing estate with no encouragement to walk into town which will mean more cars or not bothering. The new road was built on the cheap and the exit onto the roads at the pot house end along with all of the proposed building in the area is not fit for purpose.

Surface water will continue to be a problem as proven with the access rd which has had tweaks made to it but still cannot cope with regular heavy down falls and often floods the estate on the other side of the fence and will only get worse

Objection – Mrs Julie Bolton. Received – 09/03/2021

Re building on Baileys field.

Building on this land is not only dangerous with all the mines, but Darwen is a small industrial town, we do not need further homes.

We need green land for wildlife to run free. Deer have been forced from their habits elsewhere, and have now seen settling here. There is lots of other wildlife seen in these fields, badgers to name just one.

We need green space for children to play, dog walkers to walk and horse riders to exercise their horses.

Money should be spent improving existing homes, lots of people prefer to live in the traditional terrace houses famed for an industrial town. They don't want new modern homes.

Objection – Josephine Black, 62 Ellison Fold Terrace, Darwen. Received – 09/03/2021

Regarding the planned development on Bailey's Field in Darwen, I am writing to inform you that I strongly object to this area being used for a new housing scheme. Some of my reasons for this are as follows:-

1. This area is well used by local residents for walking/exercise and I feel it is very important to allow the enjoyment of this green space to continue.
 2. The destruction of this environment to wildlife is unacceptable.
 3. Unsightly areas of Darwen would benefit from redevelopment instead.
 4. Extra traffic in and out of the area will cause delay and disruption.
 5. Unsuitability of the site due to its previous use.
-

Objection - Elliott Gazdula, 63 Avallon Way, Darwen. Received – 10/03/2021

To whom it may concern,

I am writing to personally object to the development of Bailey's Field, Darwen, on the basis that:

- Blackburn with Darwen's planning website is incredibly difficult to navigate and as such, hardworking people of the borough find accessing documents incredibly hard, making any formal opposition to planning developments, such as this, a challenging task.
- Not all documents are easily accessible to the public on blackburn.gov.uk/planning regarding this application, once the relevant application documents for Ellison Fold Lane, Phase 1 are found. They are in fact only visible on: http://planningdms-live.blackburn.gov.uk/PublicAccess_LIVE/SearchResult/RunThirdPartySearch?FileSystemId=EN&FOLDER1_REF=10%2F21%2F0122&fbclid=IwAR1swacxcNJygrfriex0eN88RHiFh33k8m9ZuQXQ6gO73l332RqcOaXFpwQ#. This is a blatant disregard for the transparency of the borough planning process.

As a result of this, I find it incomprehensible that any planning decisions can be made with regards to 10/21/0122, without all these documents being placed in a far more accessible location, with a view to further consultation taking place

Objection – James Wild, 4 Wordsworth Gardens, Darwen. Received – 11/03/2021

Dear Sir/Madam,

I am extremely unhappy about the proposed application because of the many coal mines on Bailey's field. People have tried to get planning permission in the past but have been refused permission because not all the mines could be located. I would not be happy to live in one of the proposed dwellings

Objection - Mrs & Mrs Fish, 8 Wordworth Gardens, Darwen. Received - 11/03/2021

We are really unhappy about the application for 343 dwellings at Ellison Fold way.
** regarding the above application.
Our concerns cover. Traffic Generation Noise and the disturbance of wildlife.
It is already a busy community and we feel would find it difficult to cope with already stretched GP services, Dentists and school places

It has become quite apparent especially due to the pandemic how important the area for families is and will continue to be. It is an enjoyable hub of activity at all times of the day for walking, running and a life line for people just to smile, speak and pass a word to someone who is home alone.

It is also disturbing to read that part of Bailey's field allegedly has opened up over the weekend exposing seemingly a number of disused mine-shafts. And if in 2019 more than 2,700 properties in the borough were classified as empty. I believe it is in the communities interest if the land is reclassified to Green belt.

Objection – Beryl Neale, 9 Wordsworth Gardens, Darwen. Received – 11/03/2021

As someone who has lived in this area for going on 38 years and worked in this area for several years before moving into it, I can say that I know it well. I have walked my young relatives and my dogs on Bailey's field for many years, the remains of the old farm house could be seen. It was when I read the Telegraph this morning that the area had been classed as Brownfield and and safeguarded for housing in the 90s that I became aware of this.

You know that there are at least 10 mine shafts on the field, only 8 are shown on the Builder's plan. Where are the other 2? At least 2 of the shafts need topping up on a regular basis, 1 is next to Ellison Fold Way and the other is at the junction of the new road with Marsh House lane. You also know that this had to be redone twice before the road could be opened.

The field can be very wet, damage has already been done to gardens of homes backing on to the field by water from the field caused by work being done by the builders. I can assure you that it is a big concern for the residents. It can take weeks for the field to dry and there are

The builder seems to think that building material can be transported to the site on Ellison Fold Way. How can this be done when there is a weight limit on the road?

I certainly would not wish to live in a house built on Bailey's. I could not be certain that it would be safe for the length of time covered by the builder's insurance and after this period ended would I be able to insure it against subsidence.

Bailey's Field is great for recreation but not as a building site. The wild life on Bailey's would be affected very badly. The only people who would benefit would be the builders and the Council. The plants have already been affected, they have already disappeared from the attractive area which had wild iris in the Spring, they and the area have gone.

Objection – Marilyn Grear, 158 Marsh House Lane, Darwen. Received – 07/04/2021

Hello to everyone reading this and please try to listen to all the people of Darwen. This is our Town and would mean a lot if you listened and acted on our comments!

As a 67yr old woman the open space/fields around where I live is a life line to me and many many others and not just people that live around here!

I cannot believe what you have done to Pole Lane area and to think you will take a huge portion of the lovely land around Bailey's field is unbelievable!! Unbelievable also because you all know the risks of building on that land with the unidentifiable coal mines etc., AND to build expensive houses for people who don't live in Darwen!! Just stop it NOW!! Have respect for our countryside and the people of Darwen!

Yes! we need housing AFFORDABLE HOUSING for our children, are you thinking about them?? BUILD HOMES ON REAL BROWN LAND i.e.

FINISH OF THE HOUSES ON THE OLD BELGRAVE MILL SITE

FINISH OF THE HOUSES AROUND HOLLINS GROVE

LOOK AROUND DARWEN FOR HOUSING SITES FROM PREVIOUS HOUSES/STREETS THAT HAVE BEEN DEMOLISHED

TOCKHOLES ROAD NR BOTTOM

Darwen is a lovely town and YOU / ALL OF YOU ARE SPOILING IT !!

PLEASE RE-THINK WHAT YOU'RE DOING !!! You are all supposed to work for the people of Darwen that YOU represent, NOT the big wage earners that don't live here....

We have a lot of traffic coming through Darwen, we NEED these open spaces to walk to breathe fresh air! and I haven't even touched on the WILDLIFE around here, the insects, the plants. DON'T BUILD ON THIS LAND.

THANKYOU FOR READING

Objection Katherine Joyce, 34 Coniston Drive, Darwen. Received – 07/04/2021

Dear all,

I am writing to you regarding the proposed planning application on Bailey's Field.

I believe it should be listed as a community asset because it provides a free recreation space for both myself and for residents of the surrounding area. Having all just been through an extremely difficult year where the importance of local accessible outdoor space has been highlighted as an essential element for both physical and mental wellbeing it's highly distressing that it could now be taken away, not everyone has access to cars to be able to or wish to travel further afield. Exercising within walking distance from our homes has been one of the overriding pieces of advice from government in recent months. I moved into Coniston Drive in 2020 and back onto Baileys Field, it's been great to see the volume of use it receives, whether they be dog walkers, horse riders, children out playing (safely and away from traffic) or from the abundant amount of wildlife.

One of my reasons for moving to Coniston Drive was how quiet the area was. The volume of noise and traffic 300+ new homes would bring would devastate and drastically change the area. The local roads, especially Holden Fold and Moor Road that lead to the M65 junction are not adequate for the increased volume of traffic, parts of these roads only allow for one way traffic due to the lack of parking those residents have.

Please reconsider and save everyone's sanity!

Objection – Eleanor Keppie, 19 Naples Road, Darwen. Received – 12/04/2021

Dear all,

I have lived about two minutes away from Bailey's field for 22 years, so I know firsthand how important it is for local people and for wildlife. Below I have listed my main objections to the proposed housing development.

1. Increased urbanisation contributes to climate change. Soils contain more than three times the amount of carbon in the atmosphere and the plants that occupy the soils further draw down atmospheric CO2 and put it below ground in their roots as well as storing it in their above ground tissues. As you are probably aware, we are on the edge of catastrophe because of climate change and we need to protect natural spaces that keep CO2 out of the atmosphere no matter how small, so concreting over it to build houses would be terrible. Furthermore, we are already seeing more extreme weather such as flooding events and having grassland (especially on a steep slope such as

Marsh House Lane) can help to slow the flow of water and thus reduce the amount of water reaching people's homes so keeping it as it is would be worthwhile.

2. Wildlife: I have seen many interesting animals on Bailey's field including deer, frogs and newts and I often see a kestrel that seems to live there. Apex predators worldwide ([including kestrels](#)) are in decline for a variety of reasons, and building on its habitat could directly affect it by disturbing it and indirectly affect it by reducing foraging habitat and prey availability. I have also seen children admiring these animals and I think it's wonderful that children here at least have the opportunity to see wildlife and I would like to see future generations have the same opportunity.

3. Public health. The pandemic and subsequent lockdowns have really opened my eyes to how lucky I am to live near natural spaces where I can exercise and take in nature (such as Bailey's field which is where I often go on my daily walk) which has been vital to my mental and physical health, unlike those unfortunate people living in urban areas who are crammed into parks if they can get out at all. I also regularly see other people walking their dogs, walking with their families, jogging and riding their horses. In an area with low life expectancy and high obesity rates, it would be a mistake to deprive people of a green space which gives them the opportunity to exercise by building homes they likely couldn't afford on it. Additionally, being in nature has repeatedly been demonstrated to benefit mental wellbeing, so having green spaces is clearly very important when mental health problems are on the rise.

4. Traffic. The area on the north end of Ellison Fold Way has always been terrible for traffic because of the density of houses and associated vehicles, narrow roads the tight turns (I went to school where Darwen Moorland high school used to be and I can't even count how many times I was almost run over despite being nervous of roads). Increasing the number of homes in the vicinity will only exacerbate this problem and could contribute to increased air pollution which is known to decrease the life expectancy of people exposed to it and increase their chances of dying from respiratory diseases.

5. Excessive: there are already several ongoing housing projects around Darwen and in nearby areas. Off the top of my head there is one near the roundabout where the derelict office block used to be in lower Darwen, there is one at Spring Meadows and there is one where the Tower View centre used to be which is also right next to Bailey's field. It seems unnecessary to build on an important green space when there are already so many houses being built.

I hope you will consider all of the above and remember how important Bailey's field is to the people who live around it when you make any decisions.



Objection – Anthony King, 11 Maple Mews, Darwen. Received – 19/04/2021

Dear Sir,

I am writing in support of the above CIC. Darwen does not have the infrastructure to cope with the amount of planned housing, particularly on green belt sites such as Baileys Fields. This has been shown by the chaos caused by the new building sites off Pole Lane.

With the addition of another large scale building schedule on the old school site around Holden Fold the east and south side of Darwen faces losing all of its green belt area forever.

Please reconsider the planning for this important ecological area of Lancashire.

Objection – Dr. Chris Tonge, 7 Limes Avenue, Darwen. Received – 20/04/2021

Dear Mr. Prescott,

I am writing to raise my objection to the proposed development of land to the west of Ellison Fold Way for housing.

I came to Darwen to work in 1971 and have been a resident for nearly 40 years. One of the great benefits of living in Darwen is the fact that it is surrounded by beautiful countryside. As a keen walker I have greatly appreciated being able take my exercise without having to drive to the

countryside. This has been a special benefit with the restrictions of the past year and has helped me to maintain my sanity. On my walks I have been struck by how many people (young and old) I have seen using the area covered by 10/21/0122. The eastern side of the town is not well-endowed with parks like the western side so I urge you to recognise the area as a Community Asset and not allow the proposed development.

Objection – Mr D.P. Tabbinor, 5 Tunnel Street, Darwen. Received – 20/04/2021

Sir,

Please note my objection to the proposed house building in the land known locally as Bailey's Field. It should be kept in its present form so that it can benefit the people of Darwen and surrounding areas and also for the plethora of flora and fauna that already live upon or use the site to forage for food. I'm sick of seeing multiple greenfield sites surrounding Darwen being used purely for profit and gain to build houses that no one in the town wants. This should be designated a country park and should be signed over as a community asset.

Objection – Leala Crook, 4 Jubilee Close, Darwen. Received – 20/04/2021

Good morning,

Hope this email finds you well.

I am writing to ask you to consider NOT building houses on Bailey's Field and to re think. I regularly walk my dog on this field and it brings me so much joy being able to do this and looking at such beautiful views of the tower.

I do struggle with my mental health so being able to go out locally with my dog makes me feel a lot better. As I live on Clear Water Village this field is in a perfect location for me and easy access for walking. I don't like traveling far to be able to walk my dog. I do understand there are the playing field locally that I could walk but I notice that it often is very busy and this makes my anxiety worse. Being able to walk on Bailey's Field is wonderful as it is larger and gives me the peace of mind I am not going to be bothered by other people.

I have noticed that there is a bid for this land to be used as a parkland area and I feel that this would be more important to the community than housing. There is so much beautiful wildlife in the area that it would also be destroying their home too if turned into houses.

I urge you to please re-consider housing and keep this as parkland.

Objection – Mrs P Ward. Received – 20/04/2021

Mr Prescott,

Re planning. I originally attempted to fight building in this area and Marsh house when it was being used by a lady who had kept horses on it for nearly 30 yrs (I believe she should have been entitled to keep the land). The council had no knowledge of this land as it had been green belt. However a selfish person who bought a house and didn't like horses complained to council. Hence something fishy happened and suddenly the paperwork changed. (I believe this would be worth looking into,!!!!!!) I fought for years to keep the land highlighting the obvious need for wildlife and mental well-being to the point it made me ill. But greed won and Mr P Riley won.

I really hope you carry more weight than me and others who fought with me and would be happy to help. Sorry to rabbit on but it breaks my heart to think what our children and grandchildren may not see butterflies, newts, hedgehogs etc.

Objection – Irene Thronley, 25 Coniston Drive, Darwen. Received – 20/04/2021

Dear Sir

I am Emailing you to to register my fears about the safety of building homes on Baileys field. I am in my 80th year and have always been brought up to believe that there are several mine shafts on this land which could when you start to dig cave in causing a big problem for the council. This land is also dear to my heart I like many of the people who use this land have enjoyed walking my Dog when I was younger, my 5 Grandchildren, and their young children have also been taken by me on this field to walk and play, and watch the numerous birds of many varieties, this parkland has an abundance of wild life we are lucky to have lots of deer in Darwen but unfortunately the council seems hell bent on taking away their habitats, Jack Kay's, Cranberry fold Pole lane all these areas have been built on leaving animals searching for homes.

The other reasons not to build People running & walking in the fresh air is healthy for them, saves money & Doctors visits. It is ok building homes if you can provide, Schools, Doctors, Dentists Hospital places, Shops and entertainment but we are already pushed for all of these and large shops to purchase clothing and shoes are distinctly lacking.

There are in Darwen several places crying out to be built on, Moorland School, Belgrave was never finished, Carus site never started, and the amount of property that needs to be brought into good repair is unbelievable.

We don't need houses we need better facilities, and shops for the people who already live here. Please leave this field for the animals and the population to enjoy as other generations have done over the years Irene Thornley

Objection- Stephanie Urbaniak. Received – 20/04/2021

Dear Sir,

I am sure that you are aware of the information below but I have included it for your reference. In a deprived area such as Darwen it is more important than ever to keep green spaces for our communities mental health and wellbeing. This has been highlighted by the pandemic. Similarly, it is important for children living below the poverty line to have somewhere local, safe and free to engage with nature. Thirdly, the environmental impact on the local ecosystems is of definite concern.

Please consider more useful ways to make use of the empty properties in the area rather than take away an area that has been a valued public parkland for over 50 years.

Objection – John Sinott, Resident of Oswaldtwistle, Received – 20/04/2021

My friend who lives in Darwen has referred me to the above petition to preserve this special green space (all such spaces proven to be beneficial to wildlife and mental well being...)

I live in Oswaldtwistle but I'm more than happy to support a petition or lobby in relation to this matter.

Objection – Mrs Ann Johnson, 18 Naples Road, Darwen. Received – 20/04/2021

17/4/21
Dear Mr Prescott,

The road to know where! The many houses you want to allow on this land is not what we want.

more traffic, more children. And where are these children going to go, as schools in Darwen are full as it is, and many have not got their chosen school. You really need to think again about this application

Objection – G Johnson, 18 Naples Road, Darwen. Received – 20/04/2021

18-4-2021

Dear Sir/Madam,

There are many unoccupied houses in the area as mentioned by Census Staff, so why build more houses. Even more so now we need more countryside for our Mental Health and Well Being.

As David Attenborough says, we must PROTECT OUR WILDLIFE, as it is under so much pressure now

You seem to be more interested in MONEY than the WILDLIFE we need for SURVIVAL

The road was built to get rid of funds removing trees etc where woodpeckers bred.

So Bailey's Field is an important and Valued Community Asset.

It needs to be recognised by the council as PARKLAND.

PEREGRINE FALCON
KESTREL
BARN OWL
WOOD PIGEON
MAGPIE
CARRION CROW
JACKDAW
GREENFINCH
GOLDFINCH
CHAFFINCH
BLUE TIT
GREAT TIT
COAL TIT
LONG TAILED TIT
STONECHAT
HOUSE MARTIN
SWALLOW
WHITE THROAT

WILLOW WARBLER
SONG THRUSH
MISTLE THRUSH
BLACKBIRD
MEADOW PIPIT
ROBIN
DUNNOCK
REDWING
FIELDFARE
SPARROWHAWK
PIED WAGTAIL
BLACK HEADED GULL
REED BUNTING

+ MANY SPECIES OF
BUTTERFLIES
AND INSECTS.

Objection – Penelope Monaghan. Received – 21/04/2021

Dear Mr Smith

I write to register my opposition to plans to build on land known as 'Baileys Field', which I use on a regular basis to exercise myself and dog. Recently the surrounding area has been inundated with building developments leaving baileys field as a last oasis for flora and fauna, also an important wildlife corridor.

Objection – Sandra & Philip Fielding. Received – 21/04/2021

Hi, Mr Prescott

We would like to record our objection to the use of Bailey's Field being changed from an area of countryside to a housing estate. This area has been used for decades for recreation and the last twelve months has proved that we need these spaces more than ever. Also considering the effects on wildlife would you please accept that Bailey's Field is a Community Asset and should remain as such.

Objection – Mr M Cooper, 16 St Johns Street, Darwen. Received – 21/04/2021

I wish to make it known that I most strongly object to the planned redevelopment of the area known as Baily's Field. at Ellison Fold Darwen.

This area has been used as a country park for many years, and is a valued community asset to the good people of Darwen, and

should be recognised as a parkland area.

Far too much of Darwen's countryside has been ruined by having industrial and housing built on it in recent years, and ruining what

once was a lovely area for walks and picnics. Not only are the people of Darwen losing these areas of countryside, but also the flora and

fauna are losing their habitat when the wanton destruction of their natural home is destroyed for ever.

Many countryside areas of Darwen have been lost within my living memory, these areas include,; the Pot House area, the area between Marsh House lane and Pole Lane, which used to have some lovely countryside, but now just a sprawl of houses and cars. The lower part of Hey's Lane which was a lovely country walk from Blacksnape down into Hoddlesden, now has a yet another sprawl of houses and cars before you get into Hoddlesden. There is yet another area that has been built on off Pole Lane, now known as Spring Meadows, new builds have gone up on Cranberry Lane, even at the very top. The Turncroft Hall area is yet another area that has lost its lovely countryside, and also the area between Highfield Rd and Turncroft Rd is yet another once lovely area that has been ruined by houses and cars.

I say enough is enough of ruining what is left of our rural countryside in Darwen, it is not fair to the people and is is certainly very unfair to the flora and fauna that make these areas their habitat.

The planning application ref is 10/21/0122.

And I hope that you can see your way to accept the peoples nomination for the Ellison fold area known as Baily's Field to be classed as a parkland area, it is very important to the people, and is a valued community asset.

Objection – Faye Faulkner. Received – 21/04/2021

Dear Gavin,

I can only hope when you read this email that you understand how much this means to myself, my family and my community.

As a parent to 2 children with a family dog I cannot explain to you how much this land has helped us through this past year, it has really become part of our life. We go up there daily with the dog and really appreciate the nature and beauty. In March/April the stream is filled with frogs as it is their breeding season, it honestly became a natural wonder amongst local residents as there are thousands of frogs. I have very fond memories as a child walking in Baileys field to see the frogs and have recently seen lots of wild deer too.

I'm sure that there is plenty of new housing in Darwen, it can't possibly need anymore! Please give Darwen and its residents the ability to keep the natural beauty that we still have left.

Objection – Gulam Patel. Received – 21/04/2021

Dear sir, it's alarmingly hard to imagine that your department is even considering allowing houses to be built on what is locally known as " Bailey's field. I urge you not to cave in to these greedy and unscrupulous developers. They'll find other places, the people and community will never have the enjoyment of the places again.

Objection – Debbie Roberts, 44 Glenshiels Avenue, Hoddlesden. Received – 21/04/2021

Having been a resident of Darwen all my life. I was born and raised on Coniston Drive and now live in Hoddlesden 44 Glenshiels Avenue. I played on this field as a child and basically want to see it remain for future generations. Children need to get away from technology and get out to play. How can they do this if all the fields get built on.

Objection – Christina Vernon. Received – 22/04/2021

I write today to ask that you accept the nomination of Ellison Fold Parkland Association to withdraw the Blackburn with Darwen planning framework for the area known as Baileys field, Darwen. Planning application number 10/21/0122 & instead list it as an Asset of Community Value or Parkland.

This area has been used by the local community for a number of years as a source of respite. It has given children a safe place to play, adults a space not far from home to exercise where they can quickly get back to enjoy time with their families and loved ones, & we all know of the added mental health benefits that being outside in nature can offer.

As well as this, it is an important area for wildlife. In an area which has already been well developed for new housing over the last 50 years, & the remainder still being terraced housing with little outdoor space, this is the last spot left within this area really that wildlife can gather & form a long standing habitat without being disturbed, & people can use locally to access green space.

During the last 12 months of lockdowns, it has played an essential part in maintaining my own mental health. Being able to get out & watch nature grow when everything else has to stop has been a continuous source of hope for me in what would likely have been a very challenging & worrying time. I have seen bats, kestrels, mice, voles, moles, rabbits & deer. Animals which I would not normally be able to observe, & now I can watch as most of these are raising their young. Right on our doorstep, without having to get into a car & cause more pollution.

I also find that now my employer has seen the money they can save in building rental with me working from home, that my own home/work/life balance is very blurred. I spend so much time in the house working, that I no longer recognise the difference between the 2. My daily walk up to Baileys is now the 'life' part of this balancing act. I won't be the only one who finds themselves in this new situation, & that is why we now need this area more than ever.

Objection – Kathleen & Keith Nield, 48 Coniston Drive, Darwen. Received – 22/04/2021

Dear sir

In regards to the above my husband and I are strongly opposed to the planning of house building at Baileys field and we are very much in favour of the proposed Association. On this side of the town there is very little open space for walking etc and the fields are used by many for exercise. Quite apart from that the area has become a wildlife habitat as mentioned on your leaflet and we can view many species of birds together with pheasants, foxes and deer from and in our back garden. In regard to the Government's desire to save our countryside and protect our wildlife surely this precious area should be protected at all costs.

We are therefore 100% behind your 'asset of community' idea and we will give it full support in any way we can.

We congratulate all those who have worked hard to investigate this scheme and we appreciate there will be much to do in the following weeks.

Onwards and upwards!

Objection – Gail Mason, 64 Roman Road, Darwen. Received – 22/04/2021

Dear Mr Prescott ,

I am writing with great concern over the future of what we know as Bailey's Field.

Generations of children and now adults have grown up being able to enjoy the freedom and appreciation of this wonderful rare piece of natural ancient meadowlands which is habitat to an abundance of wildlife and one of the few places on this side of town that a great number of people enjoy for various activities.

I am sure that during lockdown it played a very important part in the local people's health and well-being and continues to do so.

I urge you to think very carefully before allowing this beautiful place to be destroyed forever.

Objection – Nicholas Scott Fish, Tythebarn Cottage, 72 Holden Fold, Darwen. Received – 26/04/2021

Dear all,

I am writing to you regarding Bailey's Field in Darwen and the proposed plans to destroy one of Darwen's only remaining green spaces within the town itself.

We live on Holden Fold, a 30 second walk from Bailey's Field; since we moved to the area 6 years ago we have spent countless hours walking across the field, taking in the breathtaking views over Darwen, having picnics with our family, reading books - countless hours that have provided so much positivity and tranquility to our often hectic lives.

Since 2018/19 when the new road opened we unfortunately saw the start of the end for this tranquility; the traffic running by our house has almost tripled, the traffic noise in our garden unbearable, and more so than ever have we started using Bailey's Field as an escape from the noise and air pollution in our own garden area.

If proposed plans go ahead, to build 343 dwellings on Bailey's Field you would be taking so much away from the people that you are meant to be providing so much for.

You would be taking so much away from the history of the town that you are meant to be building a future for.

You would be destroying the homes of hundreds of species of local wildlife and native plant species to build more human dwellings in an already overpopulated, underfunded area of the borough.

You have the chance to make a difference for the good of the people that voted you into office and be known as the councillors that saved Darwen's green space at a time when there is so much going on in the world around us.

The people of Darwen want their green space.

Similar to the European Super League, it isn't your right to choose to sell off Darwen's green space for the betterment of the few, but instead you should protect Darwen's history and listen to the many, providing a better future for our children who are already growing up in a fast-paced hectic world where green space in a town or city provides an escape and a space for future generations to enjoy just as we have.

I will end with this photo, taken by myself from Darwen Tower today, 25th April. You can see the huge area of green space that you are wanting to destroy. A vast area of countryside on your doorstep that makes Darwen the beautiful countryside town that it is.



How sad it would be to think that our children and grand-children would be taking in the same view 30 years from now and all that green space is gone.

Do you want to make a change for the better and be remembered for protecting Darwen's green space and history; land that belongs to the people of Darwen and not the custodians of the council. Custodian meaning "a person who has responsibility for taking care of or protecting something."

Or do you want to be remembered for taking so much away from them and future generations for the betterment of a few.

Once it is gone it is gone forever.

Objection – Sharon Hart. Received – 26/04/2021

Leave it for us now and for future generations to enjoy mental and physical well being don't smother it with housing

Objection – Gavin Scott. Received – 27/04/2021

I am writing to you regarding Bailey's field.

I spent most of my childhood on 'Baileys', we used to camp out, play on tree swings, build dens, ride our bike on the track and up & down the red hill.

I have walked my pets on Bailey's for over 35 years, and still do to this day.

I've spent many, many hours up there with my 13 year old son, playing footy, camping out, exploring, and we still find the old building remains etc and the history of the area fascinating.

This year we took my 3 year old son up to see all the frogs, tadpoles, frogspawn and even a newt!

When we arrived, there were other families doing the same. We love the way nature has taken over the field and the education of this and the wild life is second to none, not to mention free!

Due to work and covid, this year I have struggled with anxiety and stress.

A big part of me feeling myself again is because I've had the opportunity to take time out, go upto 'Bailey's' to escape, relax, see people enjoying themselves and get some fresh air!

Literally thousands of people have memories on Bailey's, and thousands more could!

If 'Baileys' disappears this will definitely be a huge loss to the town, both physically and mentally!

Objection – Mr & Mrs P Coyle, 7 Shelley Grove, Darwen. Received – 27/04/2021

We wish it to be known that we support the Ellison Fold Parkland Association CIC in their bid to have Bailey's Field recognised by the Council as Park Land.

We feel that it is an important and valued community asset.

Objection – Mr F J Mellor, 35 Abbey Crescent, Darwen. Received – 28/04/2021

Dear Sir,

I am writing to state my objection to the above Planning Application, feeling that this open space should be preserved as a Country Park for future generations to enjoy.

I was born in Naples Street (now Road) 78 years ago and have enjoyed the area for the past 70 years, we need spaces like this on this side of the town and it's loss will be a sad thing.

Objection – Donna Reilly, 119 Richmond Terrace, Darwen. Received – 30/04/2021

It's so sad to hear BAILEY'S FIELD (local known) is going to be used for housing. There will be no where left in Darwen for locals to go. More houses to sit empty.

Objection – M E Bysh, 43 Knowlesly Road, Darwen. Received – 03/05/2021

I am writing to object to building on Bailey's Field.

As an animal lover it pains me that so much wildlife is destroyed every time an estate is built. It diminishes us all. Every time more of the countryside is converted over there is less area for rain to soak away and flooding is inevitable.

I'm just waiting to see a new built house subsiding into an unknown mineshaft,

Objection – Gillian Cooper, 50 Marsh House Lane, Darwen. Received – 03/05/2021

PLANNING APPLICATION 10/21/0122 - ELLISON FOLD AREA

I am emailing you to urge you to accept the nomination of Ellison Fold Parkland Association CIC to have Bailey's Field/s in East Darwen recognised as a greatly valued and needed

Community Asset, and to recognise it as 'Parkland'. I strongly object to the planning application 10/21/0122 concerning its development for housing.

When I first moved to Darwen, my neighbour told me of the proximity of Bailey's Fields and I have used it ever since as a prized recreation area for walking my dog with new friends, and since her death exercising myself, and greatly enjoying the wildlife frequenting the fields, plus the fresh air, moorland views and large open space. There is nowhere else like it in our area. Since I moved here, one field on the opposite side of Marsh House Lane, which we also used to use and now known as Clearwater Village, has been lost to housing, and I understand the one next to it could also be in danger.

I realise that people need somewhere to live but there is much housing in Darwen standing empty, some of it for years, and plenty more for sale (ask any estate agent). I feel it is the Council's rather obvious responsibility and duty to its population to bring the empty housing back into use, to use brownfield sites for new builds, to renovate or redesign other unused buildings for homes and other purposes, to retain the character of Darwen and area and, especially, *to leave 'virgin' land and greenbelt land alone* so far as developments are concerned.

Bailey's Field is a true and much appreciated Community Asset, of which there are precious few in our area, and which is held in great affection by the local population who use it. It provides a welcome and much-needed escape from urbanisation, a means of gaining physical and mental wellbeing and a natural area which has largely been left to its own devices for half a century, with the result that its 'wildness' is welcomed far more than other formal, structured, 'manicured', manipulated and, incidentally, neglected areas. An unnecessary road has already been put through Bailey's Fields: *please* let its development end there. The money for that road would have been much more appropriately used to renovate and redesign empty housing.

A wildlife- and ecologically-friendly attitude and policy in councils is, I understand, much encouraged by the Government, and necessary today in view of the very serious and urgent climate-change concerns we have. Not only it is no use complaining about climate change but doing little or nothing about it, rather it is grossly counter-productive to actually hasten it by destroying crucial areas like Bailey's Field instead of promoting and encouraging their retention.

I hope and trust wholeheartedly that the Council will do the right thing and enable the purchase by Ellison Fold Parkland Association CIC of Bailey's Field and also recognise it as 'Parkland', so ensuring its continuation as the priceless natural and public asset it has been for over 50 years. This will also demonstrate your concern for the population's wishes, and for its wellbeing and enjoyment of our area, plus showing your clear contribution to helping to tackle climate change.

Objection – Pam Schofield. Received – 04/05/2021

I have just learned of the proposed residential development of Bailey's field and am writing to ask you to include the land as Parkland on your list of Community Assets.

We have already lost 97% of wild flower meadows in the UK and with this the loss of insects, birds and animals vital to the survival of the planet and Ellison Fold Parkland is home to a wide diversity of this flora and fauna. As you will be well aware, Darwen is subject to flooding and our open spaces play a vital part in controlling this. The more houses that are built, the less open space we have and the more flooding we experience.

More and more houses are being built in the area with more people and more cars and soon there will be nowhere without taking to our cars for local people to exercise, walk our dogs and for our children and grand children to play. Bailey's Field is much loved and well used by the local people and this couldn't have been demonstrated more than during the lockdowns.

I'm confident that Blackburn with Darwen Council's policy is to protect the environment and the health and wellbeing of its residents and I hope that you will continue to do so by granting the land Parkland status by including the land on your list of Community Assets. Please do not take this space away from us.

Objection – Alex Buckland, 20 Britten Street, Darwen. Received – 04/05/2021

I am writing to you regarding Bailey's Field.

It should be listed as a community asset because it provides a **valuable outdoor educational area** for my children. We love to walk around "Baileys Park" (as my children call it) and talk about the area's history and mining and how this ties into the topics they are taught at school about the industrial revolution.

In addition, when I was a boy growing up in the low income area of "St. James council estate", **Baileys offered an expansive escape for my friends** and I to explore the outdoors and planted a seed of adventure that we carry with us today. I firmly believe that this start is the reason why we all enjoy walks together to this day and are, in general, far more healthy than those who didn't come and play with us on Baileys.

Please consider **adding this site to the list of Darwen's great parks** including Sunnyhurst, Bold Venture and Whitehall so that it can be enjoyed by generations to come, improve the lives of the adults and children in the area and increase demand for property on the East side of the valley.

Objection – Mr C A Shipstone, 10 Coniston Drive, Darwen. Received – 05/05/2021

With reference to Building Houses on "Bailey's Field". I think this is a terrible idea. I have lived in the area for over 40 years and walk the fields almost every day. Since the new road was built "Ellison Fold way" I have noticed how many more people walk and take their dogs out along this road and through the fields. We are encouraged by the Government to take more exercise for our health. Also to encourage the wildlife. What a terrible idea the thought that all this would be gone!! if the building of more houses goes ahead. Please think again about the people and the wildlife. MRS. C.A. SHIPSTONE

Objection – Colin Wood, 10 Milton Close, Darwen. Received – 07/05/2021

Dear Sirs

I would like to express my feelings about the proposed building of houses on Bailey's Field and the formation of the Ellison Fold Parkland Plan.

The area has been used for recreation by so many for so long that it is considered our local park area.

Having somewhere within walking distance to take oneself and the dog is such a great asset.

The next nearest area is Sett End playing fields which is simply a flat field without any wildlife.

Unlike Bailey's Field, Sett End is also out of reach for most of us.

So many of us would suffer, both our physical and mental wellbeing if our green space was taken away.

I offer my support to the formation of the Ellison Fold Parkland Plan.

I would respectfully ask you to do the same.

Objection – Ann Edwards, 87 Sunnyhurst Lane, Darwen. Received – 07/05/2021

I am writing to ask you to turn down the housing development for the above green space. Places for people to walk, play and communicate with nature near to where they live are an absolute treasure and CANNOT BE LOST. The Pandemic has shown

us that more than ever. As someone who lives on the edge of the moors and Sunnyhurst Wood, we have seen our area swamped with people wanting to get out into the fresh air and into lovely countryside in the last 12 months.

Objection House owner, Cobden Street, Darwen – Received 12/05/2021

Good evening

Darwen with Blackburn is known for not being a very wealthy area. Families may not be able to afford to take their children to enjoy the outside elsewhere and Ellison Fold (Bailey's field) is a well used part of the community for people of all ages and for free. Please accept the nomination of Ellison Fold Parkland Association to make Bailey's field an important and much valued community asset. Having access to outdoor space is vital for mental health and well being.

Objection – Rose Whittaker, 88 Redearth Road, Darwen –received 13th May 2021

To whom it may concern

I am writing to register my objection to the planing application reference 10/21/0122 for the Ellison Fold area. This piece of land is a vital piece of nature that is used and loved by the entire surrounding community, and building such a large amount of houses is not in the best interests of those already residing in the area. The land is used daily by many residents to enjoy open air benefits, which aids in mental and physical well being. Building over a hugely beneficial green space would be a terrible and irreversible decision to the detriment of residents and the environment. Beyond that, I also believe that Darwen's infrastructure is not suited to an addition of so many extra people to the community without investment first - there is much in Darwen that already needs addressing with the current population count, and adding housing without addressing these concerns first would be irresponsible and would only create further problems.

I am begging you to consider the voices of the many residents of Darwen including my own, in this matter that we see as vital to our health and town happiness.

Objection – John Whittaker, 55 Priory Drive, Darwen. Received - 04/05/2021

I have recently read with great interest the proposal to purchase the area concerning "Bailey's Field" which to me is the right and proper thing to do to retain one of very few areas in Darwen for easy and open access to recreation.

The Covid events of the last year has demonstrated just how important it is for local people to take advantage of an easily accessible area of open land that is relatively easy to access and walk.

This applies particularly to people who are not as mobile as they might be.

This area contrasts greatly to Sunnyhurst Woods, Whitehall Park and Bold Venture which, frankly, are in an appalling condition due to a lack of care and upkeep. The condition of these parks in addition to the lack of decent off footpaths in the local area do little for the well being of many people physically and mentally. Therefore I wholeheartedly support this proposal.

Efforts are better served by improving what we have (roads, schools, health care) even the disgraceful condition of footpaths in the shopping streets.

I hope that collectively this campaign will make the council stop and think and allow the land purchase for recreation to go ahead.

Support – Claire, address unknown Received – 27/04/2021

I just want to show my support for the housing application at Ellison Fold Way/Baileys Field. I've lived here almost all of my life, I've always known Baileys as an old disused field with mines on it, even as a kid, no one has ever used this place as a 'green space'?! Never used as a place to have a picnic or relax like some of these deluded made up comments on social media claim. It's only ever

been used as a shortcut to walk through, or people to let their dogs off to poop and not have to pick it up.

There's far too many people who want Darwen stuck in 'the good old days' of 1950, and I really wish that before some councillors voiced their opinions, they'd actually check laws/legislation instead of just saying what people want to hear because it serves their own personal goal. The Baileys/Ellison development will be a good thing for Darwen, it'll bring more people, which means more council tax for the Borough to spend on its residents, more inside and outside investment from interested business/industry that could create more jobs that Darwen desperately needs since manufacturing was decimated, and it'll open the way to apply for more money from central Govt for new schools/public services. I've never felt compelled to comment on a planning application before, but I support this development 100%.

Support – Martin Cousins, 23 Powell Street, Darwen. Rec – 04/05/2021

I received a flyer from the above mentioned with dismay. As a Darwen resident and a frequent hiker and runner, I have rarely used 'Bailey's Field' for exercise in the years I have lived here. The photo in the flyer suggests a bucolic country walk through idyllic surroundings which is far from the truth. The original 'Ellison Fold Lane' which I assume connected Darwen and Waterside is now an overgrown bog which is rarely used. I have been on many runs and hikes in the area, but have never found a decent dry and usable route either across or around 'Bailey's Field'. I frequently walk and run up to Pot House and along the Roman Road then back down Pole Lane. I often see other folk doing the same and we have to share a dangerously narrow footpath all the year round. It is in dreadful condition, and we urgently need a decent usable path to the north of Bailey's Field. At the moment it is wet and unpassable and few people use it.

I am a huge fan of Ellison Fold Way, ridiculously branded as the 'road to nowhere'. It has completely opened up East Darwen, allowing the proposed Bailey's Field development, and eventually new homes on the hideously unattractive and neglected Holden Fold. These sites will provide houses and communities with the 'best views in town', and in so doing help us in East Darwen feel less like the poor relations that we genuinely feel now. It's bad enough 'belonging' to Blackburn, but there is certainly a feeling in Darwen that the west side of town is far better served than we are near the station and above. Developing the area will raise Darwen's status to being a prosperous and forward looking town that it deserves. By so doing the roads and tracks and ginnels that we all treasure will be upgraded and maintained in an appropriate manner. In the future it makes sense to link Darwen with both Hoddlesden and Waterside. It is beautiful countryside, but the tracks that link and surround them are poorly maintained and barely exist.

This 'association' should have been strangled at birth. It is 'Nimbyism' at its worst and it completely ignores the long term needs and benefit that future investment will bring. Darwen is a great place to live, and will only get better if companies are allowed and encouraged to invest in the future of our town.
