

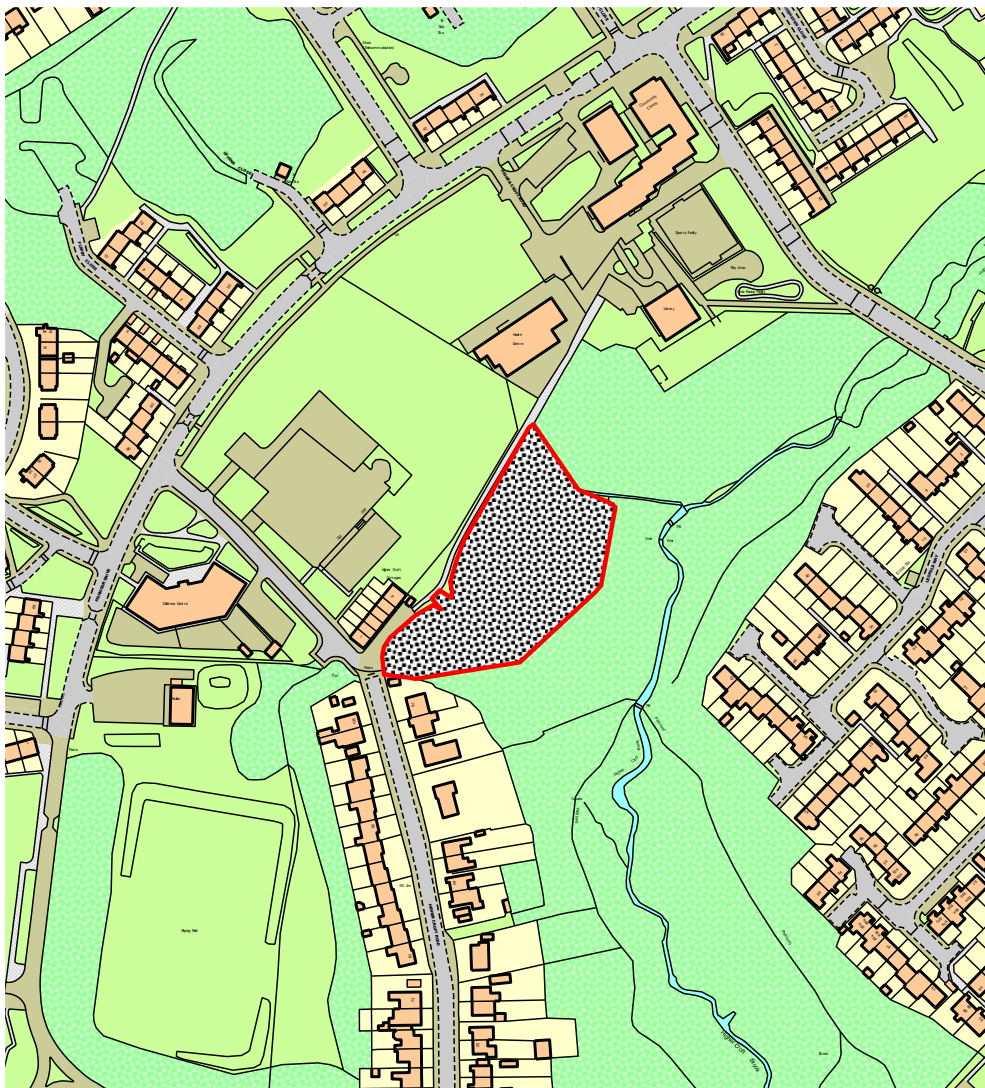
Proposed development: Construction of 11no. one-bedroom apartments (Class C2: Residential institutions) within 2 no. single-storey blocks of accommodation to provide social care and support for people living with autism, including associated private external amenity spaces, car parking and landscaping

Site address: Former Centurion Public House, Higher Croft Road, Blackburn, BB3 0QT

Applicant: Mr Daniel Anders – Centurion Blackburn Ltd.

Ward: Blackburn South & Lower Darwen and Blackburn South East

**Councillor John Slater
Councillor Jacqueline Slater
Councillor Denise Gee
Councillor James Shorrocks
Councillor Tony Humphries
Councillor Vicky Ellen McGurk**



1.0 SUMMARY OF RECOMMENDATION

1.1 The proposed development is recommended to be granted planning permission, subject to the conditions detailed in Section 5.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 This application is presented to the Planning and Highways Committee, in accordance with the Council's scheme of delegation, and given the fact that a significant number of public objections have been received. The objections raised principally concern the nature of the proposed use. The potential for adverse highways impacts, impacts on public rights of way, trees loss, potential for adverse ecological impacts, and presence of archaeological remains have also been cited as concerns.

2.2 The proposed development has been publicised through letters to residents and occupants of the nearest 39 adjacent properties. Site notices were also displayed outside of the site. In addition, numerous consultations have taken place with neighbours and consultees upon the receipt of amended/updated information.

2.3 The Council's development plan supports new specialist residential development and associated works, provided they constitute sustainable development and accord with the development plan, when taken as a whole.

2.4 The proposal will deliver 11 one-bedroom apartments spanning two blocks. Vehicle access would be gained via an existing access point off Higher Croft Road. Each apartment would be afforded its own private garden space and indicative supplementary landscaping is detailed on the plans provided. Parking areas for staff, residents and visitors are also detailed on the submitted plans.

2.5 On balance, the proposal would be satisfactory from a technical point of view, with all issues having been addressed through the application process, or capable of being controlled or mitigated through appropriately worded planning conditions.

2.6 The key issues to be addressed in determining this application are;

- Clarifying the proposed use class;
- Establishing the principle of development;
- Appraising the intended occupants;
- Assessing impacts on the wider GI allocation;
- Design and visual amenity;
- Ensuring the amenities of the immediate neighbours are not compromised;
- Assessing highways impacts, service provision, and parking provision;
- Trees loss;
- Assessing and minimising ecological impacts;
- Foul and surface water drainage;
- Investigating and recording archaeological remains;

- Terrestrial contamination;
- Minimising the potential for crime to occur;
- Minimising impacts on air quality, and;
- Agreeing a financial contribution through a Section 106 agreement.

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site is a plot of wooded land located within the defined urban boundary of Blackburn. The Rakes Bridge/Newfield Green Infrastructure allocation also covers the site. The footings for the former Centurion House are contained within, which was a public house that burned down in 2006. Higher Croft House was also previously positioned within that was demolished at some point in the 1970s. The site contains a number of mature and self-seeded trees that line the access road to the former public house together with the surrounding land.

Figure One – Satellite image of the site



3.1.2 The site covers an area of circa 1.5 acres with the plot tapering towards to the northwestern edge. Vehicle access was formerly gained directly from Higher Croft Road, to the north of the traffic barrier that divides that highway. A number of public footpaths span the adjacent plots of land.

3.1.3 The site is surrounded by a variation of land uses with a wooded nature reserve (Higher Croft Wood) and watercourse (Higher Croft Brook) positioned directly to the north, east and west. The woodland to the south and east of the site is within the same ownership as the application site. Dwellings along Higher Croft Road and as part of Higher Croft Cottages are positioned to the east.

Figure Two – Location Plan showing the extent of the site and access point



3.2 Proposed Development

3.2.1 This planning application involves the erection of two apartment blocks for assisted living arrangements. A total of 11 one-bedroom self-contained apartments would be provided with associated kitchen, living, and bathroom facilities. Each block would have an entrance point to the front elevation with the apartments accessed via a central hallway. Patio doors would also be provided accessing private garden areas. The floor plan for unit type A is shown below in Figure Three. In addition, the submitted proposed site plan is shown below in Figure Four.

Figure Three – Proposed Site Plan

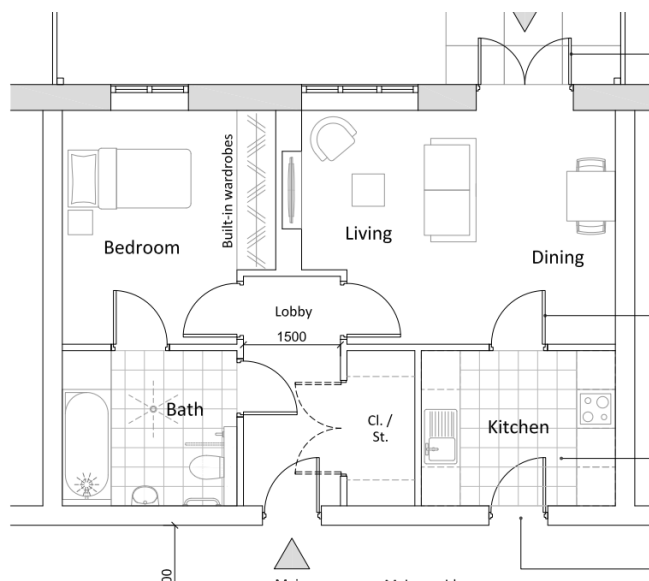
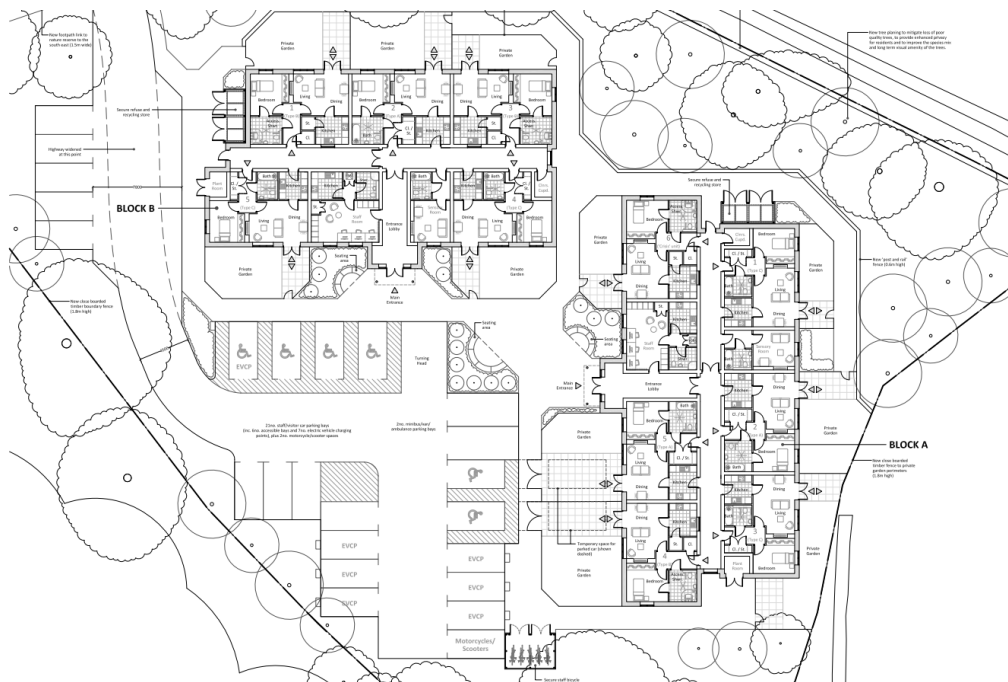


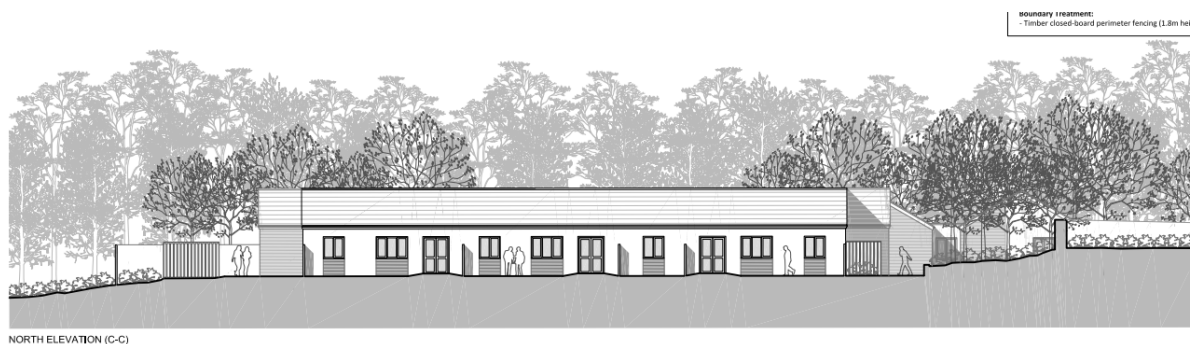
Figure Four – Proposed Site Plan



3.2.2 A number of hard and soft landscaping elements would be incorporated into the proposal. The existing access road would be widened and resurfaced. A pedestrian link from Higher Croft Cottages would be formed accessing Higher Croft Wood. 16 standard parking bays are proposed in support of the development together with 4 disabled bays and 1 motorcycle/scooter parking area. In addition, private garden areas and landscaped areas would be formed together with supplementary tree planting around the apartment blocks, parking areas and access road.

3.2.3 Block A would have a footprint of circa 525 square meters and a dual-pitched roof up to 4.8m in height. Block B would have a footprint of circa 420 square meters and a dual-pitched roof up to 4.8m in height. Brickwork of various colours would be used to externally finish the elevations with fibre cement slates used as the roofing materials. The north elevation of Block A is shown below in Figure Five.

Figure Five – North Elevation of Block A



3.3 Case Officer Site Photos



3.4 Development Plan

3.4.1 Core Strategy Part 1 (adopted January 2011):

- Policy CS5: Locations for New Housing
- Policy CS7: Types of Housing

3.4.2 Local Plan Part 2 (adopted December 2015):

- Policy 1: The Urban Boundary
- Policy 7: Sustainable and Viable Development
- Policy 8: Development and People
- Policy 9: Development and the Environment
- Policy 10: Accessibility and Transport
- Policy 11: Design
- Policy 18: Housing Mix
- Policy 19: Apartment Development and Houses in Multiple Occupation
- Policy 36: Climate Change
- Policy 38: Green Infrastructure
- Policy 39: Heritage
- Policy 40: Integrating Green Infrastructure with New Development
- Policy 47: The Effect of Development on Public Services

3.4.3 BwD Parking Standards

3.4.4 National Planning Policy Framework (2021)

- Section 15 – Conserving and enhancing the natural environment

4.0 ASSESSMENT

4.1 Preliminary Matters

- 4.1.1 A number of concerns have been raised in public comments regarding discrepancies in the information initially provided, with specific reference to the proposed use class. The information provided with the application states the proposed development would have a C2 use class. The supporting information further refines the proposed use within the parameters of use class C2(a), which includes provision of secure residential accommodation. Such a use class includes use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation, or use as a military barracks.
- 4.1.2 It is clear from the submission that the majority of the above uses are not applicable and the submitted plans show assisted living arrangements that are void of any specific security measures. However, in the interests of clarity a condition is recommended to prevent the site being operated within the broader parameters use class C2. Such a condition is necessary in order to remove the potential for uses to be operated from the site in the future that may compromise the social character of the area.

4.2 Principle of Development

- 4.2.1 The site is located within the defined urban boundary, which Policy 1 identifies as the preferred location for all new development. In addition, Policy CS5 identifies the preferred location for all new housing developments to be within that boundary. The site is in a sustainable location for new housing development and the surrounding land uses are predominantly residential in their character. In addition, services, facilities, and regular public transport links are all within walking distance and the proposals meet with the initial requirements of the housing distribution policies detailed above.
- 4.2.2 Both Policies CS7 and 18 identify the preferred housing types in the Borough to be family sized dwellings. The proposal would be a departure from those requirements as apartment type dwellings are proposed. In relation to such forms of development, Policy 19 effectively states that they will only be supported in exceptional circumstances. This is to prevent the ad hoc formation of such forms of accommodation, together with minimising the social problems that sometimes come with them.
- 4.2.3 Application 10/18/0504 “16 new build single storey dwellings for supported living” was refused on that basis (dated 2nd September 2019). A lack of evidence was hinged on the requirements of Policy 47, which states development likely to cater or provide accommodation for users of publicly-provided support services, including but not limited to mental health services and adult social care, will only be permitted where it is clearly demonstrated that all of the below criteria has been entirely met;

- i. A need for the development exists arising from the requirements of people already ordinarily resident in Blackburn with Darwen or of Blackburn with Darwen service users currently receiving service outside the authority area;
- ii. There the development consists of a facility directly providing a support service, the nature and scale of the facility is in line with the Council's commissioning strategies, such that resources are likely to be available to refer individuals to the facility and it can be reasonably expected that people already ordinarily resident in Blackburn with Darwen, or Blackburn with Darwen service users currently receiving service outside the authority area will be the principal users of the facility; and
- iii. The development will not lead to an increase in the level of demand for any publicly-provided support service, to an extent that is likely to result in a deterioration of the level of service available to existing users

4.2.4 As detailed below in the consultee comments, extensive discussions have taken place during the course of the current application to ensure compliance with Policy 47 is achieved. Having reviewed all of the information provided, BwD Adult Social Care are satisfied in that respect. Subject to the imposition of a condition to ensure users of the accommodation are commissioned through the Borough, and based on the information provided, the issue previously identified for application 10/18/0504 would be adequately addressed. The proposed development is thus acceptable in principle, in alignment with Policy 47.

4.2.5 In accordance with the presumption in favour of sustainable development detailed in the Framework, and Policy 7, development proposals should proceed without delay, unless impacts which significantly and demonstrably outweigh the benefits of the proposal are identified; subject to assessment of the following matters;

4.3 Green Infrastructure

4.3.1 The site is located within the Rakes Bridge/Newfield Green Infrastructure (GI) allocation, which covers a relatively extensive area of land and includes land to the north and south. Policy 38 contains general requirements regarding the need to preserve and connect existing GI networks.

4.3.2 In addition, Policy 40 states that all development proposals should provide a positive contribution to the GI networks in the Borough. Functioning ecological networks are primary components of GI and should not be compromised. Development should contribute to the restoration, enhancement and connection of natural habitats through the retention and provision of appropriate GI.

4.3.3 When assessing proposals involving the partial or complete loss of land identified as GI with the development plan, development will not be permitted unless:

- i. The development can be accommodated without the loss of the function of the open space;

- ii. The impact can be mitigated or compensated for through the direct provision of new or improved green infrastructure elsewhere, or through the provision of a financial contribution to enable this to occur; or
- iii. The need for or benefits arising from the development demonstrably outweigh the harm caused, and the harm has been mitigated or compensated for so far as is reasonable.

4.3.4 As detailed above, the site forms part of a much wider GI allocation. Given that the footings and roadway from the former public house still exist, much of the site is also classed as previously developed land, which provides a limited level of contribution to the function of the GI allocation. Both supplementary planting and a financial contribution can be readily controlled by condition to mitigate tree loss. Those requirements are covered in a greater level of detail within subsequent sections of this report.

4.3.5 Moreover, there are some obvious benefits to consider with this proposal through the provision of accommodation for individuals with specific needs. When those factors are considered collectively, and on balance, the proposed development would not compromise the function of the GI allocation to an unacceptable extent, in accordance with Policies 38 and 40.

4.4 Design and Visual Amenity

4.4.1 In general terms, Policy 11 requires development proposals to represent a good standard of design through demonstrating an understanding of the sites wider context, and making a positive contribution to visual amenity. The site is a standalone element in the immediate streetscene from an architectural perspective. It is contained by mature vegetation and existing boundary treatments, which would screen much of the proposal from the public domain.

4.4.2 The layout of the apartment blocks would align with the urban grain of the surrounding area, which is predominantly linear in its arrangement. In addition, their height and scale would not seem out of place when related to the massing of the surrounding buildings. In addition, the materials proposed are appropriate for this development and site. Subject to the imposition of a condition to further agree the external construction materials to be used, the proposal would be acceptable in terms of aspect, design and scale.

4.4.3 Further conditions are recommended to agree the scope of any required hard and soft landscaping details and bin storage details. Such conditions are necessary in order to ensure the development integrates with its surroundings and to ensure visually sensitive waste storage arrangements are put in place to service the development. Subject to compliance with those conditions, the proposed development would be acceptable in relation to design and visual amenity, in accordance with Policy 11.

4.5 Residential Amenity

4.5.1 Policy 8 states that all development proposals should secure a satisfactory level of amenity for surrounding occupants in relation to noise, light, privacy,

overlooking, and the relationship between buildings. Owing to its nature, the proposal would not be harmful to the aural amenities of the immediate neighbours. Equally, use of the access point for the proposed use would not lead to an unacceptable level of disruptions for the immediate neighbours.

- 4.5.2 In excess of 21m would separate the proposed apartments from the nearest dwellings on Higher Croft Road and at Higher Croft Cottages. Such a level of separation is sufficient to prevent the proposal appearing overbearing or being harmful to the domestic privacy of those neighbours. In addition, an ample level of separation would be provided between the proposed gardens and adjacent dwellings to prevent any adverse privacy impacts. The retention of mature trees on the north boundary would also assist with that arrangement.
- 4.5.3 BwD Public Protection have reviewed the merits of the proposals and no objections have been raised on residential amenity grounds. A condition has been advised to agree the scope of any required external lighting sources. It is recommended that such a condition be added in order to ensure light pollution is not caused for neighbours following occupation. Further conditions has been advised to control working hours, dust emissions, noise and vibrations, and any required external lighting sources required during the construction phase.
- 4.5.4 It is recommended that a construction method statement condition be added that consolidates those requirements. Such a condition is necessary in order to minimise disruptions for neighbours during the construction phase. Subject to compliance with the above conditions in their entirety, the relationship between the proposed apartments and adjacent dwellings would not be detrimentally impacted upon and the proposed development is thus acceptable in relation to residential amenity.

4.6 Highways, Servicing and Parking

- 4.6.1 Policy 10 outlines a general requirement for development proposals to not prejudice road safety, or the safe and convenient movement of all highway users. Parking should also be provided in accordance with the BwD Parking Standards. Objections have been raised in consultee and public comments on highways and parking grounds.
- 4.6.2 In relation to access arrangements, a gate would prevent access via the constrained route from Fore Street/Rakes Bridge. That gate is outside of the application site boundary and there is no suggestion within the information provided that those arrangements would be altered. Therefore, access can only be gained via Fishmoor Drive, which is acceptable. In addition, the amended layout of the internal road now includes a footway. The recommended external lighting condition includes requirements regarding lighting columns, as requested by BwD Highways. In addition, no gates are proposed within the access point and visibility for motorists egressing the site is acceptable. Subject to the imposition of a further condition to prevent visibility obstructions forming around the access point, the proposal would be acceptable in that respect.

- 4.6.3 BwD Highways have raised concerns regarding servicing arrangements. However, the proposed carpark has a turning head and adequate manoeuvrability for relatively large vehicles. Waste collection vehicles will not enter the site and waste will be presented on Higher Croft Road. It would be logical to ensure bin storage areas are provided close to the site entrance yet it will be ultimately down to the site operators to manage such activity. A condition is recommended to further finalise those arrangements. Subject to compliance with that condition, the proposals would be acceptable in terms of servicing.
- 4.6.4 With reference to parking, BwD Highways have identified an over provision. No narrative has been provided to support that position. However, for C2 uses there are no specific standards for the proposed use within the BwD Parking Standards. All vehicle parking within this contained site can only realistically support its future operations and the level of parking proposed is thus deemed acceptable. Covered cycle storage and motorcycle parking bays are shown on the submitted plan. A condition is recommended to ensure such facilities are provided in order to encourage sustainable modes of transport. Subject to compliance with that condition, together with a further condition to ensure the carpark is provided in accordance with the submitted details, the proposals would be acceptable in terms of parking arrangements.
- 4.6.5 Finally, a further condition is recommended to agree the logistics of the construction phase, as requested by BwD Highways. Such a condition is necessary in order to minimise disruptions during the construction phase on the local highway network. Subject to compliance with the attached conditions in their entirety, the proposed development would be acceptable in relation to highways, servicing and parking.

4.7 Public Rights of Way

- 4.7.1 Further requirements within Policy 10 state that all development proposals should not directly affect any public right of way (PROW), unless the right of way is maintained or the proposal provides for its replacement by an equally attractive, safe and convenient route. Concerns have been raised in consultee and public comments in that respect.
- 4.7.2 Currently, the access road serving the former public house serves as an informal PROW. Although the path may be well used by locals, it is not a formalised PROW and pedestrian access into Higher Croft Wood should be gained to the south, and outside of the application site. The BwD PROW Officer has reviewed the proposals and no objections have been raised.
- 4.7.3 Furthermore, a pedestrian link would be installed through the site, which would adequately maintain pedestrian manoeuvrability. For those reasons, the proposed development would not have a harmful impact upon the PROW networks in the local area, in compliance with Policy 10.

4.8 Arboricultural Considerations

- 4.8.1 As detailed above, the site is covered by a GI allocation and a number of mature trees are contained within in. Although none of those trees are protected by a preservation order, there are a number of veteran trees within the site, which are afforded an elevated level of protection under the latest version of the NPPF. Paragraph 80c) states – development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 4.8.2 In addition, Policy 9 states that all development proposals are expected to incorporate existing trees into the design and layout of the scheme. If the removal of one or more trees is permitted as part of a development, a condition will require that an equivalent number or more new trees are planted either on or near the site, unless a clear justification is provided for not doing so. In support of those requirements, a Tree Survey – Arboricultural Implications Assessment and Method Statement has been submitted, which has been amended during the course of the application.
- 4.8.3 The assessment indicates that 15 specimens would be removed together with one group of trees. Pruning works would also be required for a number of retained trees. None of the trees to be removed are of an A-grade quality. Both the BwD Arboricultural and Ecological Advisors have reviewed the merits of the proposals and no formal objections have been raised. However, a number of concerns have been raised regarding tree loss and lack of a formal supplementary planting scheme.
- 4.8.4 Although the BwD Arboricultural Advisor holds the view that a more tree sensitive scheme could likely be devised, they have suggested a number of conditions to mitigate any impacts caused. The recommended landscaping condition therefore includes a specific requirement to agree the scope of a replacement planting scheme. The condition recommended also includes a specific requirement to submit details on how the retained woodland will be periodically managed moving forward. A further condition is recommended to ensure the development proceeds in accordance with all of the measures contained within the amended Tree Survey – Arboricultural Implications Assessment and Method Statement.
- 4.8.5 In support of the above, a Construction and Ecological Mitigation Plan (CEMP) has been submitted during the course of the application. Some residual concerns are still applicable from the BwD Ecological Advisor yet they have appraised the submission of such a document. A condition is recommended to ensure the development proceeds in strict accordance with the measures advised in the CEMP. For clarity, ecological impacts are covered below.
- 4.8.6 Furthermore, final comments from the BwD Ecological Advisor have suggested that a financial contribution of £15k would further compensate for tree losses on site. Payment will be agreed through a Section 106 agreement. Those

matters are covered in a greater level of detail in subsequent sections of this report.

- 4.8.7 Subject to compliance with those conditions in their entirety, there are wholly exceptional reasons embed within this proposal to justify trees loss and a suitable compensation strategy exists through the conditions imposed. When those factors are considered, and on balance, the proposed development is thus acceptable in relation arboricultural considerations.

4.9 Ecological Considerations

- 4.9.1 Further requirements within Policy 9 state that all development proposals must avoid unacceptable impacts on environmental assets or interests, including habitats and species. In support of those requirements, a Preliminary Ecological Appraisal has been submitted with amendments secured during the application process. Concerns have been raised in public comments regarding the potential for negative ecological impacts to be caused. The BwD Ecological Advisor has reviewed all of the information provided and the merits of the proposals as a whole. No formal objections have been raised yet a number of inadequacies in the information presented have been identified.

- 4.9.2 Given the level of trees loss proposed, the potential to remove bat roosts has been identified. Some of the trees to be removed have potential roosting features that warrant further inspection prior to being felled. However, the BwD Ecological Advisor is satisfied that such matters can be adequately controlled by condition. It will be down to a suitably qualified professional to quantify roosting potential within the site and identify any necessary measures of mitigation. A condition is therefore recommended in that respect. In addition, the attached external lighting condition will further regulate the developments impacts on local bat populations, once operational.

- 4.9.3 A condition is recommended to ensure any vegetation clearance and demolition works take place outside of the bird-breeding season in order to minimise harm to avian populations. The submitted CEMP details a number of ecological enhancement measures. A condition is recommended to ensure the development is implemented in accordance with those measures. A further condition is recommended to agree the scope of a scheme to eradicate invasive plant species from the site, as per the request by the BwD Ecological Advisor.

- 4.9.4 It should also be noted that the conditions imposed to mitigate trees loss would also provide significant ecological benefits. When those factors are considered, and subject to compliance with the recommended conditions, the proposed development would be acceptable in relation to ecological considerations.

4.10 Drainage

- 4.10.1 Further requirements within Policy 9 state that all development proposals should not be subject to an unacceptable risk of flooding, or adversely contribute to the risk of off-site flooding. In response to those requirements, a Sustainable Drainage Strategy (SDS) has been submitted. United Utilities have

reviewed the merits of the proposals and they are satisfied that the measures contained within the submitted SDS are adequate.

4.10.2 That said, the SDS is light on detail in the way of a maintenance strategy. The comments provided by United Utilities suggest that such details are required for all major proposals. The comments provided by BwD Drainage also accord with that position. An appropriately worded condition is therefore recommended that captures all of the above requirements accordingly. Subject to compliance with that condition, the proposed development would be acceptable in relation to drainage, in accordance with Policy 9.

4.11 Archaeology

4.11.1 In relation to development proposals that could potentially affect nationally or locally important archaeological remains, Policy 39 contains an expectation to better reveal and increase understanding of those remains and their settings unless it is demonstrated that this is not possible or desirable. Development affecting locally important archaeological remains and their settings will only be permitted where the public benefits of the development outweighs the local value of the remains.

4.11.2 LCC Archaeology have reviewed the merits of the proposals. They will affect a non-designated heritage asset, the former site of Higher Croft House (Lancashire Historic Environment Record PRN 984), thought to have been built in 1634, but demolished some time before 1977. As per the request by LCC Archaeology, it is therefore recommended that a condition be imposed to excavate the site and record any archaeological remains found. Subject to compliance with that condition, the proposed development would be acceptable in relation to archaeology, in accordance with Policy 39.

4.12 Contamination

4.12.1 Further requirements within Policy 8 state all development proposals on previously developed land must be remediated to a standard that provides a safe environment for users of the development whilst also ensuring contamination is not displaced. In response to those requirements, a Phase 1 Land Contamination Assessment has been submitted. BwD Public Protection have closely reviewed that survey yet a number of discrepancies have been raised in the data and findings presented.

4.12.2 Given that position, BwD Public Protection have advised that all three standard contamination conditions should be added as a precautionary measure. It is therefore recommended that those conditions all be added. Subject to compliance with that condition, the proposed development would be acceptable in relation to contamination.

4.13 Crime

4.13.1 Further requirements within Policy 8 state that all development proposals must incorporate positive measures aimed at reducing crime and improving

community safety, including appropriately detailed design. In response to those requirements, a Crime Impact Statement has been submitted, which has been prepared by Lancs Police.

4.13.2 The crime prevention measures advised within the submitted statement adequately conform to the requirements of the guidance referenced by Lancs Police below. Subject to the imposition of a condition to ensure the development proceeds in accordance with those measures, the proposed development would be acceptable in relation to crime prevention, and compliance with Policy 8 is thus achieved.

4.14 Air Quality

4.14.1 Policy 36 requires all development proposals to minimise contributions to carbon emissions and climate change, both directly from the development and indirectly arising from factors such as travel to and from the development. Concerns have been raised in public comments in relation to air quality. In response to such matters, BwD Public Protection have advised that electric vehicle charging points should be provided and efficient gas boilers installed through condition, which is recommended.

4.14.2 The recommended condition requesting the installation of cycle storage would also assist in improving air quality in the local area through promoting sustainable modes of travel to and from the site. Subject to compliance with those conditions, the proposed development would be acceptable in relation to air quality, in accordance with Policy 36.

4.15 Planning Gain / Section 106 Financial Contributions

4.15.1 A financial contribution £15,000 is secured, following agreement in principle between the Council and the applicant during the course of the application. A copy of the Planning Obligation Statement has been forwarded to legal for authorisation. The amount agreed has been advised by the BwD Ecological Advisor and will be used for the creation and/or enhancement of off-site open space provision. Committee are requested to grant planning permission, subject agreement of those matters.

4.16 Summary

4.16.1 This application involves the construction of 11 one-bedroom apartments (Use Class C2: Residential institutions) within 2 single-storey blocks of accommodation to provide social care and support for people living with autism. Associated private external amenity spaces, car parking and landscaping would also be provided in support of the development.

4.16.2 Subject to appropriate conditions, the proposed development would be acceptable on all the relevant planning grounds, in accordance with the policies and guidance notes detailed in Section 3.4.

4.16.3 Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. Subject to appropriate conditions, the proposal would be acceptable in principle, and in terms of design and visual amenity, residential amenity, highways and parking, ecological considerations, drainage, contamination, arboricultural considerations, air quality, and the wider considerations raised from public and consultee comments. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

5.0 RECOMMENDATION:

5.1 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 £15,000; plus a monitoring fee of £150.

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.

5.2 The following conditions and informative notes are also recommended;

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 proposals as detailed on drawings: Location Plan (BHC-KMA-XX-XX-DR-A-1000 – Revision P1), BHC-KMA-XX-XX-DR-A-1100 – Revision P1, BHC-KMA-XX-XX-DR-A-1200 – Revision P3, BHC-KMA-XX-XX-DR-A-2000 – Revision P3, BHC-KMA-XX-XX-DR-A-2100 – Revision P2, BHC-KMA-XX-XX-DR-A-2101 – Revision P2, BHC-KMA-XX-XX-DR-A-2102 – Revision P2, BHC-KMA-XX-XX-DR-A-2200 – Revision P2, BHC-KMA-XX-XX-DR-A-2201 – Revision P2, BHC-KMA-XX-XX-DR-A-2202 – Revision P2, and BHC-KMA-XX-XX-DR-A-2203 – Revision P2.

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

3. The development hereby approved shall be restricted solely to secure accommodation for assisted living and following the development hereby approved being brought into use, no alternative uses shall be operated from within the site under the broader provisions of Use Class C2, unless otherwise agreed in writing.

REASON: In order to prevent alternative uses being formed that may be harmful to the social character of the area, in the interests of residential amenity, and to comply with the requirements of Policy 8 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

4. Occupation of the development hereby approved must be brought forward by a Registered Provider of Social Housing, to be commissioned and agreed by Commissioners within Blackburn with Darwen Borough Council, with a scheme detailing a timeframe of the lease model, building specifications and stakeholders to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development on site.

REASON: In order to ensure that the proposal meets an evidenced need for specialist accommodation, to allow the development to proceed without an unacceptable adverse impact on existing provision, and to comply with the requirements of Policy 47 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

5. Prior to the commencement of any above ground works on site, details confirming the colours and finishes of all the external materials to be used in the construction of the development hereby approved shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in strict accordance with the approved materials and details, unless otherwise agreed in writing.

REASON: To ensure a satisfactory form of development is achieved, in the interests of visual amenity, and to comply with the requirements of Policy 11 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

6. No development shall commence on site unless and until, a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be exclusively limited to the following;
 - a) Details of proposals for supplementary landscaping around all aspects of the development;
 - b) Details confirming the types and extents of any areas of hardstanding to be applied;
 - c) Details confirming the heights, types, and positions of any new boundary treatments, including fencing and gates;
 - d) Details confirming that any trees lost will be replaced at a ratio of at least 2:1;
 - e) Details indicating the location, arrangement, species, sizes, specifications, numbers, and planting densities of all new planting;
 - f) Details indicating the location and arrangement of any required tree protection measures for the trees to be retained within the site and on the site boundaries, and;
 - g) Details of an annual management plan for any trees/shrubs to be retained.

The approved scheme shall be implemented in its entirety within the first available planting season following the substantial completion of the development. Any tree/shrub or other planting that is lost, felled, removed, uprooted, dead, dying or diseased or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

REASON: In order to ensure that the development is adequately landscaped so as to integrate with its surroundings, in the interests of visual amenity, and to comply with the requirements of Policy 11 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

7. No above ground works shall commence on site unless and until, a scheme confirming bin storage arrangements has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in strict accordance with the approved details and none of the apartments shall be occupied until they have been provided in their entirety, unless otherwise agreed in writing.

REASON: In order to ensure appropriate and visually sensitive bin storage arrangements are put in place, in the interests of visual amenity and highway safety, and to comply with the requirements of Policies 10 and 11 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

8. Prior to their installation, details overviewing the types, positions and heights of any new external light sources to be incorporated as part of the development hereby approved, including highways lighting columns, shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in strict accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to minimise light pollution from the development, in the interests of residential amenity and minimising harm to local bat populations, and to comply with the requirements of Policies 8 and 9 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

9. No development shall commence on site unless and until, a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction phase, and it shall provide for, but not be exclusively limited to;
 - a) The parking of vehicles of site operatives and visitors;
 - b) The loading and unloading of plant and materials;
 - c) The storage of plant and materials used in constructing the development;
 - d) Wheel washing facilities;
 - e) Measures to control the emission of dust and dirt from construction works;

- f) Measures to control noise and vibrations from construction works;
- g) A scheme for recycling/disposing of waste resulting from construction works;
- h) Details of the type, position and height of any required external lighting;
- i) Details of working hours;

The development shall thereafter proceed in strict accordance with all of the measures detailed within the submitted Construction Method Statement, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to control the logistics of the construction phase, in the interests of residential amenity and highway safety, and to comply with the requirements of Policies 8 and 10 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

10. Visibility splays around the new access point hereby approved shall not at any time be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

REASON: In order to optimise visibility for motorists egressing the site, in the interests of highway safety, and to comply with the requirements of Policy 10 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

11. None of the apartments hereby approved shall be occupied unless and until, the cycle storage and motorcycle parking provision as detailed on the approved plan 'BHC-KMA-XX-XX-DR-A-1200 – Revision P3' have been provided in their entirety, unless otherwise agreed in writing in the Local Planning Authority.

REASON: In order to encourage sustainable modes of transport, in the interests of highway safety and combating climate change, and to comply with the requirements of Policies 10 and 39 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

12. None of the apartments hereby approved shall be occupied unless and until, the car parking provision as detailed on the approved plan "BHC-KMA-XX-XX-DR-A-1200 – Revision P3" has been provided in its entirety, unless otherwise agreed in writing in the Local Planning Authority.

REASON: In order ensure an adequate level of parking is provided in support of the development, in the interests of highway safety, and to comply with the requirements of Policy 10 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

13. The development hereby approved shall be implemented in strict accordance with all of the measures of ecological mitigation detailed within the submitted Tree Survey – Arboricultural Implications Assessment & Method Statement (amended), prepared by Indigo Surveys, and dated May 2020.

REASON: In order to minimise harm to trees within the site during the construction phase, in the interests of local ecology, and to comply with the requirements of Policy 9 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

14. The development hereby approved shall be implemented in strict accordance with all of the measures of ecological mitigation detailed within the submitted Construction and Ecological Mitigation Plan, prepared by Arbtech, and dated November 2021.

REASON: In order to minimise harm to trees and ecology within the site during the construction phase, in the interests of local ecology, and to comply with the requirements of Policy 9 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

15. No development shall commence on site unless and until, a detailed bat roost assessment of any trees to be removed and any that require crown lifting/tree surgery work to facilitate any part of the development hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The survey shall include details of soft fell products for all trees identified as having a roosting potential together with further appropriate measures of mitigation, where relevant. Any works undertaken shall be supervised by a suitably qualified professional, with details provided. The development shall thereafter proceed in strict accordance with the agreed details, unless otherwise agreed in writing.

REASON: In order to minimise harm to bat populations within the site during the construction phase, in the interests of local ecology, and to comply with the requirements of Policy 9 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

16. No vegetation clearance and/or demolition associated with the development hereby approved shall take place whatsoever between March to August inclusive, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to minimise harm to local bird populations, in the interests of local ecology, and to comply with the requirements of Policy 9 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

17. No development shall commence on site unless and until, a Method Statement has been submitted to and approved in writing by the Local Planning Authority that details the measures to be undertaken to prevent the spread of the invasive plant Japanese Knotweed during any site clearance works. The development shall thereafter be implemented in strict accordance with the approved details, unless otherwise agreed in writing.

REASON: In order to minimise harm to local plant populations, in the interests of local ecology, and to comply with the requirements of Policy 9 of the Blackburn

with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

18. No development shall commence on site unless and until, a surface and foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be exclusively limited to the following;
- a) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). Any investigations undertaken shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - b) A restricted rate of discharge of surface water agreed with the Local Planning Authority, if it is agreed that infiltration is discounted by the investigations;
 - c) Details showing foul and surface waters being drained on separate systems, where achievable;
 - d) A maintenance strategy for the surface water drainage system to be installed, and;
 - e) A timetable for implementation.

The submitted scheme shall be prepared fully in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In addition, the development hereby approved shall not be brought into use unless and until the agreed scheme has been implemented in its entirety.

REASON: To promote sustainable development, to manage the risk of flooding and pollution, and to comply with the requirements of Policy 9 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

19. No development shall commence on site unless and until, a scheme detailing the implementation of a programme of archaeological works has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in strict accordance with the agreed details, unless otherwise agreed in writing.

REASON: In order to safeguard the recording and inspection of matters of archaeological/historical importance associated with the site, in the interests of adequately recording archaeological remains, and to comply with the requirements of Policy 39 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

20. No development shall commence on site unless and until, a Contamination Method Statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination, which may be present on site, has first been submitted to and approved in writing by the Local Planning Authority. The submitted Statement shall detail the following;

- a) An investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority, and;
- b) A comprehensive remediation scheme including an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination).

All the agreed remediation measures shall thereafter be carried out in strict accordance with the approved implementation timetable under the supervision of a geotechnical professional and they shall be completed fully in accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the health of future occupiers of the site, prevent the displacement of pollution and any associated environmental impacts, and to comply with the requirements of Policies 8 and 9 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

21. Prior to first use of the development hereby approved, two copies of a comprehensive Validation Report shall be submitted to and approved in writing by the Local Planning Authority. The Validation Report shall demonstrate effective remediation in accordance with the agreed remediation scheme and any necessary supplementary information. 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 protect the health of future occupiers of the site, prevent the displacement of pollution and any associated environmental impacts, and to comply with the requirements of Policies 8 and 9 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

22. Should contamination be encountered unexpectedly during redevelopment of the site, all works should cease, and the Local Planning Authority should be immediately informed in writing. If unacceptable risks are identified, a remedial options appraisal and detailed remediation scheme should be presented, and agreed in writing by the Local Planning Authority. The development shall thereafter proceed in strict accordance with the agreed details.

REASON: To protect the health of future occupiers of the site, prevent the displacement of pollution and any associated environmental impacts, and to comply with the requirements of Policies 8 and 9 of the Blackburn with Darwen

Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

23. The development hereby approved shall be implemented in strict accordance with all of the crime prevention measures detailed within the submitted Crime Impact Statement, prepared by Lancashire Constabulary, dated 05th June 2020.

REASON: In order to ensure crime prevention measures are in place to support the development, in the interests of community safety, and to comply with the requirements of Policy 8 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

24. No above ground works shall commence on site unless and until, the following air quality mitigation measures have been provided, which accord with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority;

- a) There shall be one electric vehicle charging point at each house with a garage or other off-road parking. An appropriate 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, and;
- b) Gas fired domestic heating boilers shall not emit more than 40mg NO_x/kWh

The development shall thereafter be implemented in strict accordance with the approved details and none of the apartments shall be occupied until they have been provided in their entirety, unless otherwise agreed in writing.

REASON: In order to minimise carbon emissions from the development, in the interests of addressing climate change, and to comply with the requirements of Policy 36 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

Specific Informatives

1. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent. All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive. If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.
2. 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). Construction method statement/demolition method statement is to be received this

should include wheel washing. 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 273838 to undertake a condition survey. Any old entrances that are no longer required should be closed and reinstated back to full footway, at the developers expense.

6.0 RELEVANT PLANNING HISTORY

- 6.1 10/12/1152 – 14 no. new 3 & 4 Bedroom Houses with detached garages – Approved with conditions – March 2014.
- 6.2 10/18/0504 – 16 new build single storey dwellings for supported living – Refused – September 2019.

Reason for refusal

- *The proposal for the 11 supported living units represent non-commissioned development that does not form part of the Council's strategy for the provision of health services, and would result in additional users of publicly-provided support services where an identified local need does not exist, leading to an increase in the level of demand for publicly-provided support services, to an extent that is likely to result in a deterioration of the level of service available to existing users, contrary to Policy 47 of the Blackburn with Darwen Borough Council Local Plan Part 2 (2015) and the National Planning Policy Framework (2019).*

7.0 CONSULTATIONS

- 7.1 BwD Adult Social Care – In order to meet existing and future demands Adult Social Care is keen to ensure that a 'Commissioning' approach is taken to existing and future provision for accommodation and care services for vulnerable people. This is critically important to ensure that the development is used specifically for the intended vulnerable people and is supported by revenue funding. Where there isn't a commitment to commissioned revenue support any such development should be considered speculative. Policy 47 of the Borough's Development Management Planning Policy sets out areas in which Adult Social Care can assess Planning Applications to ensure that all new provision for services for vulnerable people meet strategic needs. To address the appropriateness of the proposed project each point of the policy will be addressed.

(Need for the development) Adult Social Care support the development in principle, as the development could meet a need we have identified in the borough and therefore in line with our Commissioning Strategy. However the proposed size and number of units is larger than what we need. The development proposed can potentially support individuals with complex needs from across a wider geographical footprint therefore we would want to consider

any commissioning need for this development together with wider Health and Social Care System Partners before supporting its approval.

(Nature and scale of the development) Presently there is no purpose built accommodation for people with complex and challenging behaviours within the borough. The design offers a robust build which is required for this client group. The location is secluded and is suitable for this cohort. Whilst there is a need in Blackburn with Darwen for a small development, this proposal is much larger and would offer more units than our demand. However, there is demand across Lancashire for a development of this type. We would wish to work with health partners to ensure that there is a proper commissioning process supporting revenue commitment and that we are able to deliver the type and quality of accommodation /support that is needed.

(Increase in demand for service) We cannot support any specialist supported housing without the necessary commissioning agreements in place with Health Partners. We are increasingly looking at joint financial planning with our partners to ensure that the system remains coherent and sustainable and in line with the demand.

As such, we cannot offer support for this application at this time. We would wish to continue to work with the developer and are actively engaging with Health partners to ensure agreements can be put in place to reduce the financial risk to the authority.

(Update) – The proposal for the Centurion development is supported by BwD Adult Social Care. We have evidenced a need for accommodation for people who have complex needs and this site and the development will help meet the requirement for specialist accommodation. The design will allow us to meet the following outcomes for Blackburn and Darwen;

Promote innovation within housing and care, through the use of technology and specialist design. Address the accommodation needs of complex individuals – meeting the needs and aspirations of those who require 24 hour care and support and improve outcomes. Deliver national priorities locally. Reduce the cost of care to the local health and social care system. Deliver crisis accommodation in an more appropriate environment

In order to do achieve this, we require the following conditions;

The scheme can only be brought forward by a Registered Provider of Social Housing agreed by Commissioners within BwD Council. The timeframe for any lease model used to fund the scheme, should be 10 years (initially). The model and stakeholders should be agreed with BwD Commissioners. Developers work closely with BwD Commissioners, throughout the build, to ensure that the building meets the specification and the needs of the agreed client group. The care provider is commissioned by the Council.

7.2 BwD Housing Growth – The principle of residential dwelling would be acceptable on this site which sits within a highly residential area of south east

Blackburn. The Housing Growth Team require evidence/demand data to support the need for this type of specialist accommodation. The scheme needs to be approved by the Council's Adult commissioning team with a clear understanding of how it will be managed. The Adults team will need to agree a nomination and selection process which gives priority to local need.

We would consider the proposal subject to the provision of satisfactory demand data and commissioning/acceptance by the Adults team. Final proposals will need to meet planning policy requirements and approval from Development Management. There will be no additional requirement for affordable housing as the scheme would be deemed to be providing affordable homes on site

- 7.3 BwD Arboricultural Advisor – In principle, we have no objection to the application. Should this application be approved, we would suggest a condition for a fully detailed landscaping scheme that mitigates the inevitable loss of trees across the site.

A number of key points need to be considered prior to approval of the application, which include; Tree Protective Fencing locations and the various tree constraint issues. Details of services and potential for impacting upon the RPA's to be highlighted on a site layout plan. The proposed retaining wall to be constructed will be in close proximity to existing trees. Any machinery to be used should not be allowed to encroach into the RPA. The proposed path area that runs adjacent to large existing trees needs careful construction consideration. What approach is the applicant to take with regards the re-surfacing of the existing access road? Exact details need to be submitted via a AMS on how they are going to avoid root damage. Ideally, the access road is kept to the same width, otherwise the mature and their roots will be compromised.

(Update) The comments provided by the Agent regarding the cost implications of submitting of a full AMS at this stage are understandable. What we would say to that is that if you are minded to approve the application, and/or if it is likely that it would be approved at any committee, it would not be unreasonable to request the AMS upfront. Having said that, they do seem to be a reputable company and if the proposed pre-commencement site visit is to be with myself and the Arb Consultant, as mentioned below, then that would ease my concerns somewhat with regards to the conditioning of the AMS.

There are concerns at this stage regarding the proposed retaining wall. We wonder if the architect realises the tree issues (loss and impact) of including a wall when it is only 0.6m. We would suggest a post and rail fence would be more appropriate in this situation. In addition, we have concerns regarding the widening of the access road, and in particular, the area to be widened right next to the tree T41, which is a B cat 24m high Beech tree. We do feel that the proposed design layout has not really considered the trees in this area and that the arb information has come afterwards. The recommendations as laid out in BS 5837 state that the constraints imposed by trees, both above and below ground, should inform the site layout design, rather than the other way around. We honestly think that a slight modifying of the layout will be more beneficial to

the health of the trees going forward in to the future. The access widening/changing should only take place outside of any RPA's.

(Update) The submitted 'description of amendments' states: '*Updated the Arboricultural Impact Assessment (AIA) in line with our revised plans. The comments in relation to 'widening of the access road'. In addition, the amended AIA section 4.6 states: '4.6. The proposed widening of the existing access encroaches the crowns and RPAs of the trees T37 and T40, and the RPAs of T31, T32, T36 and T37. Therefore, the crowns should be pruned to provide 3.5 - 5m ground to crown clearance, and the new vehicle access should be of tree-root sensitive design and installation to minimise the impact on the RPA's and ground i.e., no dig installation, existing soil level retained, cellular confinement system (Cellweb/Geoweb) and preferably a permeable surface treatment; detail to be illustrated in the landscape schemer*'.

The proposed use of a cellular confinement system is fine but we are wondering if the agent knows the cost and practical implications of the process? It is also proposed that this system is used for the new footpath that runs parallel to the access road. If this is going to be used for that they the costs will be huge. There are other issues that concern me about this development. The proposed retaining wall is just 2 feet in height (0.6m) and yet there are proposals to remove 7 trees, 4 of which are B category. This seems unnecessary.

Further information is required regarding resurfacing works and the need for a boundary wall. If you are minded to approve the application, a lot of these issues can be dealt with via an Arb Method Statement.

7.4 BwD Highways – In summary, we have no principle objections, subject to the below matters being resolved satisfactorily.

(Parking) In accordance with the adopted parking standards, the requirements associated with a sheltered living accommodation facility, are specific for the users. There is the ability to agree a defined number of spaces that the facility would require subject to full justification setting out the needs for both visitors and operational management. The Design and Access Statement present the parking to be provided is for staff as residents do no drive and have no vehicle. The planning application cites 10 staff, yet 20 spaces (inc. 4 disabled) are proposed. This would appear to be excessive, and further justification is requested to support the 20 spaces indicated.

We acknowledge the additional 3 larger bays also proposed, which will aid the transportation of the residents to various excursions, this is acceptable. It is noted that there is cycle parking for 10 to be made available within the building, this is also accepted. There is no mention of any motorcycle parking, this should be accommodated within the site. The car park layout and arrangement conforms to the councils adopted bays sizes including accessibility into and out of the bays.

(Access) Access to the properties is via Highercroft Road, which is adopted highway, We would expect the access is to be from Fishmoor Drive, rather than

via Stopes Brow, perhaps confirmation of this from the applicant will placate some of the woes expressed by the objectors. The internal access road is sufficient in carriageway width. Previously we had expressed the lack of footway connection from Highercroft Road into the site, this has now been provided. Further consideration should also be given to services such as street lighting columns of this footway.

No details of visibility splays are provided at the entrance to the site from Highercroft Road, please request further details. There are two gates proposed within the scheme, it is therefore assumed that the site will remain private and not be adopted. No details of the operation of these gates is provided. There is no turning area prior to the gates, to aid those who have inadvertently ventured down the access road, please could we seek further details in how this will be dealt with.

(Servicing) No auto track details have been provided or information on the frequency of service vehicle and type. We would request this is provided for further assessment.

(Other) Construction method statement would be required to support the development – no details are received, please request information or condition for submission.

(Update) There is no justification offered in support of the Parking numbers as previously requested. An amended layout that is offered does take into account the request for motorcycle spaces, which is welcomed. Confirmation is also received that there will be no gates to the development, this is acceptable. No details of swept path or delivery details, frequency of visits and type of vehicles is received.

If you are minded to approve the scheme, that I would request the outstanding matters are all conditioned, together with matters outlined under other and attach all the standards conditions and Informatives listed previously.

- 7.5 BwD Public Protection – No objections. Should this application be approved, conditions should be imposed to control air quality mitigation measures, external lighting sources, construction working hours, and the logistics of the construction phase (dust, noise, and vibrations). Informative notes should also be added regarding light pollution for construction/demolition noise.

(Contamination) The above report is based mainly on a Groundsure search. We would always encourage as diverse a range of information as possible to be included within a Phase 1 Desk Study. Although a Wormseye Coal Authority report is referred to from 2010 a similar Wormseye Desk Study from 2010 and available online with an earlier application (10/12/1152) is not referred to. However due to the proposed gas monitoring and intrusive investigation in the later 2020 Fraser report, were the application to be successful, we would recommend that both Blackburn with Darwen's standard contaminated land conditions are attached to any Decision Notice.

- 7.6 BwD Drainage/Lead Local Flood Authority – No objections. Should this application be approved, an appropriately worded condition should be imposed to control drainage systems. Such a condition is necessary in order to ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, to ensure adequate measures are put in place for the disposal of foul and surface water, and to agree the scope of any future maintenance of surface water drainage systems.
- 7.7 BwD Ecological Advisor (GMEU) – (Planning Context) The adjacent woodland and the southern part of the Site is within the Lancashire Woodland Network (see extract below – application site marked with purple pin and blue boundary). The Woodland Network forms part of the coherent functioning ecological network (Lancashire Ecological Network) across Lancashire. These are identified features under the NPPF (February 2019, paragraph 170 d)).

The Site is also encompassed within Blackburn's Green Infrastructure (Local Plan Part 2 Green Infrastructure – Policy 38) as identified in the Adopted Policies Map (December 2015). Policy 40 of the adopted Local Plan (Dec 2015) provides the context by which the Planning Authority will integrate GI and Ecological Networks with new development. Whilst the Planning Statement recognises Blackburn's Core Strategy policy framework (Policy CS15 – Protection and Enhancement of Ecological Assets, 2011) it fails to follow this through to the Local Plan Part 2 designations.

The weight and planning balance associated with the impacts of the scheme (as discussed below in 'Loss of Broadleaved Woodland') are a matter for the Planning Department to consider. It is recommended that the Council's Tree Officer, if there is one and they have not already done so, are consulted on the application. Matters relating to the condition and amenity value of the trees are not within GMEU's remit.

(Preliminary Ecological Assessment – validity and impact assessment) The Preliminary Ecological Appraisal (the Report) appears to have used reasonable effort to assess the site for priority habitats of substantive value and the likelihood that protected/Principal species (Section 41 NERC [Natural Environment & Rural Communities Act 2006]) are present or may be present at other times. While the survey itself is considered valid, however, we do not concur with the impact assessment on habitats as identified in Table 3 of the Report. There are a number of matters that will need clarifying due to inconsistencies between submitted reports. Additional work will need to be undertaken for substantive issues, which can be achieved via conditions (Loss of Broadleaved Woodland Habitat of Principal Importance) The Report identifies that the site supports broadleaved trees which is identified as a priority habitat (Habitat of Principal Importance – Section 41 NERC [Natural Environment & Rural Communities Act 2006]). This is shown in Appendix 1 of the Report as a wide wooded edges adjacent to the bare ground (previously developed built footprint) and to the south of the site. Table 3 of the Report appears not to consider this as an impact either on site or as a feature which supports and buffers the adjacent wider area of woodland. It is considered that

this is an omission in the impact assessment of the proposal which needs further consideration and mitigation/compensation within the scheme.

The Arboricultural Impact Assessment (AIA) indicates that 32% (15 trees and 1 Group) of the mature/semi-mature within the Site boundary will need to be removed to accommodate the proposal. It is unclear how this is represented on the AIA Tree constraints plan as it would appear that the trees scheduled for removal have not been clearly indicated on the plan. Replacement tree planting is proposed and appears to be in the region of 18 trees with smaller crown capability than those that are being lost. In general terms, in seeking compensation for tree loss GMEU would recommend a replacement ratio of 2 for 1. It would appear that there is little capacity within the current scheme to achieve this on-site.

The loss of the mature/semi-mature trees will also include the loss of scrub and regenerating trees which are elements of a functioning woodland. Given the footprint of the proposal, the areas to the north of the site will no longer function as woodland, but are likely to become part of the manicured margin of the development. In the absence of a landscape scheme, it is not possible to draw a more detailed conclusion.

It is recognised that the southern part of the site will be retained, except to create access. However, more detailed plans for this area's management has not been provided (see Landscape below). Benefits of the scheme appear to indicate that improvements will be made to the wider woodland area (outside the edge red?) in amenity terms, but there is no detail of whether what this comprises and whether it can be considered as compensation for habitat loss within the Site. A reduction in the built footprint would provide a greater opportunity to retain trees within the site and potentially the ability for this to represent a more functioning woodland habitat.

(Other biodiversity material considerations – Japanese knotweed – Schedule 9 Wildlife & Countryside Act 1981 and Environmental Protection Regulations 1991) Both the Report and the AIA tree constraints plan show that Japanese knotweed is present on the site. However, the locations marked differ between the two documents' plans. Notwithstanding the confusion regarding the location of this Invasive Non-Native Species (INNS), any permission if granted will need to be supported by a detailed Japanese Knotweed Management Plan.

This will need to consider an updated survey will need to be provided to accurately identify stands of the plant which need to be treated. Construction methodology such as erection of barrier fencing 7m from growing stems, signage, soil handling/storage protocols and machinery biosecurity should be considered. In addition, a treatment/removal strategy will need to be supplied from a suitably skilled contractor to demonstrate how the plant will be dealt with both under the footprint of the built form and in areas of retained vegetation. The submitted scheme will need to demonstrate an ongoing retreatment schedule of control and eradication including monitoring for a minimum of 5 years. Despite the confusion over the distribution of the JK INNS, we are satisfied that this matter can be dealt with via condition on any approval if

granted. I would recommend that this is a standalone document which is cross referenced in a CEMP (Construction Environmental Management Plan), that could be provided by condition.

(Bats – Habitats Regulations 2017 and Wildlife & Countryside Act 1981) The Report indicates that the only trees with bat roosting potential are to be found on trees at the south-west corner of the site, in an area to be retained. Cross referencing with the condition statement in the AIA indicates that a number of the trees to be removed have features which warrant further inspection for bat roost potential, as they support crack/fissures, deadwood/dieback or in part are covered with dense ivy which obscures close inspection of the tree.

Additional survey work will be needed to clarify the differences between the two reports' assessments. As this is a matter of clarification I am satisfied that this can be a pre-commencement condition on any permission if granted. The pre-commencement survey should encompass a detailed bat roost assessment of all trees to be removed and any which require crown lifting/tree surgery work to provide access (T37 and T40) or for Health & Safety reason around the built form. An aerial inspection of individual trees where cavities are observed from ground inspection or results are inconclusive, a bat activity survey prior to felling where necessary, and details of soft fell protocols for all trees identified with bat roost potential, including supervision by Ecological Clerk of Works (ECoW), should all be submitted in support of discharging the condition. The Report identifies that lighting should be controlled in the operational development (Table 3; Woodland and Bats). This matter can be implemented via a condition on any permission and as indicated in the Report follow the most recent professional guidance of (Bat Conservation Trust and the Institute of Lighting Professionals). Additionally, it is recommended that the conditioned CEMP (see above) include details of construction lighting along with any details on working hours etc.

Nesting birds and vegetation clearance (Wildlife & Countryside Act 1981) A condition should be applied to ensure that all vegetation clearance including trees, scrub, undergrowth (e.g. bramble) and the dismantling of the boundary wall occurs outside the breeding season (March – August inclusive), unless it can be demonstrated by a suitably qualified person that no bird nesting activity is present.

(Landscaping Proposals) Detailed landscape proposals within the submission have not been provided. As the application is for full permission and there is a significant loss of trees and associated woodland within the scheme, I consider this a serious omission that impairs the ability to assess the mitigation/compensation for the biodiversity impacts of the scheme. The landscape strategy, as alluded to in the Design & Access Statement, includes the objective of integration of the scheme within the wider landscape character and includes upgrades of the footpath. However, there is no mention of the planting specification, except in broadest terms of native species. As indicated above the scheme does not appear to provide replacement planting on a 2 for 1 basis. There is no indication of any future management of the retained area of woodland to the south of the Site.

Given the limited extent of remaining area for a landscape treatment, the introduction of wildflower grassland seems over ambitious and not a feature which would compensate for the loss of mature woodland trees. The Report indicates the use of bird and bat boxes along with ecologically permeable fencing. These are well known enhancement measures, however, the introduction of 2 bat boxes and two bird boxes seems a poor provision given the extent of loss of mature/semi-mature trees and the understorey that it supports. There may potentially be an opportunity to discuss improvements within the adjacent woodland, if the Local Authority consider it appropriate, to provide additional levels of compensation off-site.

The applicant has not used a Biodiversity Offset metric for the proposal to assess if a Biodiversity Net Gain has been achieved on this scheme, as signposted within the forthcoming Environment Bill (first reading November 2019). However, it may not be considered necessary should a suitable landscape and habitat management scheme be forthcoming and securable. We strongly recommend that the Planning Authority seek a full landscape scheme prior to the approval of this or any future iteration of a scheme on this Site.

(Update) We note the confirmation that no tree removal will be required to accommodate the new access road. This is to be welcomed and lessens some of the impact within the Woodland Network. The remainder of the site appears to not have altered in its impacts on the woodland habitat/loss of trees as the extent of the footprint of the scheme has not altered to any significant degree. The Ecological Appraisal has been adjusted to reflect the AIA loss of trees, which is a third (32%) of the recorded trees within the site. There has also been adjustment to ensure that there is consistency on the extent of Japanese knotweed on the site.

The updated AIA appears now to show more clearly the extent of the loss of woodland on the northern, eastern and southern margins of the site (including group G2), which will result in fragmentation and reduction in the buffering effect that the current site provides to the Woodland Network. The adjusted plans are still not supported by any landscaping proposals or any long-term management requirements/enhancements, despite the proposal appearing to seek approval for this element. This makes forming a view regarding the level and type of compensation difficult to assess either in a traditional sense or against a Biodiversity Metric. There appears to be no adjustment within the Ecology Report regarding the quantum of the biodiversity enhancements which are proposed.

As indicated in the earlier response, GMEU recommend that the Council's own tree officer is consulted on the scheme if they have not already provided comments. Additionally, the weight given to the loss of broadleaved woodland priority habitat is a matter for the Council to place in the planning balance. However, GMEU would conclude that it appears that the amendments have not substantively altered the identified impacts of the proposal on the woodland habitat.

(Update) As far as can be ascertained the amended layout of the scheme (uploaded 09.11.2021, rev P3) has not altered substantively in terms of its impacts on the priority woodland and it would appear that there is no landscape scheme submitted. Therefore, concerns raised previously still apply.

However, a new document has now been submitted; 'Construction and Ecological Mitigation Plan' ([CEMP] Arbtech, 05/11/2021, issue 1.4) has been provided. We have the following comments to make on the CEMP. This document provides details of both construction activities and features along with a scheme for Biodiversity Enhancement. In general terms, these two documents would be submitted under separate covers. We can confirm that the detail is adequate and sufficient for the most part, except for the species specification for replanting. We would suggest that the applicant considers the use of locally native species typical of the landscape character of the site's location. We can confirm that the construction protection details, which would normally be encompassed in a CEMP are adequate. However, the Planning Authority may wish to see details and locations of protective fencing and construction lighting. This can be secured via condition.

The Biodiversity Enhancement as proposed within the submitted CEMP document and shown on plan (BHC-KMA-XX-XX-DR-A-1200, rev P3 in the CEMP) is appropriate and proportionate and I would recommend that a separate Biodiversity Enhancement condition is used to secure the implementation of this scheme. This detail includes the features previously recommended by GMEU including – 6 x bird boxes, 6 x bat bricks & 4 x bat boxes, 2 x hedgehog shelters and ecologically permeable fencing.

(Update) In relation to the potential to provide a woodland management plans, without a baseline Biodiversity Net Gain metric calculation, it is difficult to make a cost per unit assessment. However, it would not be reasonable at this stage to expect the applicant to produce one. The Environment Act is seeking to provide a 'unit' cost for off-set and this is currently considered to be £10,000/unit, but as explained this does not equate well with this proposal.

Alternatively, GMEU has begun to do some research work on costings for the Greater Manchester Combined Authority (GMCA). The GMEU research and the BNG unit costs include an oversight management element to the administering body. Examples include

- Average cost* for woodland creation and management of 1ha of woodland £29,377
- Average cost* for woodland restoration and management of 1ha of woodland £28,862
- 5 year treatment plan for 0.6ha of invasive species was £12,500 (GM local contractor quote for on-site works)

(*note based on 8 costed examples from across the UK)

Given that this application site is approx. 0.5ha, we would suggest that a commuted sum in the region of £15,000 based on these examples might be a reasonable off-site approach.

- 7.8 BwD PROW Officer – The Access to the proposed development is a Public footpath so please add highways 11 informative to this application. Any change of surface to the access road must first be authorised by the Highway Authority prior to any improvements /alterations made. If the construction traffic is going to impact on the use or safety of the Public footpath (151 Blackburn or 114 Blackburn) whilst construction is under way, the applicant needs to apply for a temporary closure of the footpath.

(Update) The submitted information makes reference to upgrading the existing paths. I would like to reiterate the previous comment. Any change of surface to the access road must first be authorised by the Highway Authority prior to any improvements /alterations made.

- 7.9 BwD Cleansing – No details regarding for bin storage and bulky rubbish storage areas are detailed on the submitted plans.

(Update) It total they space for four bins, whether in one or two bin stores. These bins cannot be taken up/down steps btw, so that could be an issue for them in terms o designing a step-free access in/out of the bin store. The Council require bins to be presented to the edge of the adopted highway so it will be for the staff/residents to pull the bins from the bin store, to the collection point at the edge of the development.

- 7.10 BwD Housing Standards – No objections.

- 7.11 LCC Archaeology – The proposals will affect a non-designated heritage asset, the former site of Higher Croft (Lancashire Historic Environment Record PRN 984), thought to have been built in 1634, but demolished some time before 1977. The 1849 1 st Edition Ordnance Survey 1:10560 mapping (Lancashire Sheet 70, surveyed 1845-47) and the 1894 1 st Edition Ordnance Survey 1:2:500 mapping (Lancashire Sheets 70.04 and 70.08, surveyed 1891) show a small complex of buildings on this site, all of which have since been lost. It is presumed that Higher Croft House, the main building at the site, was demolished to make way for the 'The Centurion' public house, which was built a little to the north.

As set out in the accompanying Planning Statement, the site was previously used as a Public House and associated car parking areas. The report states these were demolished in 2008 and cleared down to ground level leaving tarmac areas and substructure, including foundations, of the public house. There is therefore a potential for below-ground archaeological remains of Higher Croft, and possibly earlier structures, to be encountered by the proposed development.

Consequently should the Local Planning Authority be minded to grant planning permission to this scheme, the Historic Environment Team would advise that

the applicants be required to undertake a programme of archaeological work. This should be carried out prior to any development of the site and secured by means of an appropriately worded condition. Such a condition is necessary to ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site. Note, in accordance with National Planning Policy Framework paragraph 199: "Local planning authorities should ... require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible".

- 7.12 United Utilities – 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 Assessment, 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: The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. FRA 20 1153, Dated May 2020) which was prepared by Centurion Blackburn Ltd. No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details. This is 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.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consult with the Lead Local Flood Authority regarding the exact wording of any condition. The development shall subsequently be completed, maintained and managed in accordance with the approved plan. This is 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.

- 7.13 Lancs Fire and Rescue – It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 (Access and facilities for the Fire Service).
- 7.14 Lancs Police – A representative from the Lancashire Constabulary Designing Out Crime team has had extensive involvement in the early planning stages and completed the attached Crime Impact Statements which are still relevant to the proposal with the exception of the below further recommendations regarding upgraded standards for communal entrance doorsets. We would advocate that the development be designed and constructed using the security principles and security rated products as stated in the attached Secured By Design (SBD) 'Homes 2019' Design Guide.

7.15 Ward Cllrs – Councillor Gee commented on the application on the 23rd Jun 2020 - The Borough has enough provision for the use proposed. An inadequate level of staff parking is proposed. A number of public rights of way will be effected due to the position of the plot.

7.16 Summary of Public Responses – see summary of representations for the full comments.

- The proposed use is not appropriate for the area;
- A Green Infrastructure allocation covers the site;
- Conflicting information has been submitted regarding the proposed use;
- No details have been provided regarding intended occupants;
- Access arrangements are not appropriate;
- Additional traffic and parking demands may result from the proposal;
- Traffic calming measures would be required;
- Obstructions may be caused for emergency service vehicles;
- Public rights of way will be lost;
- The development may affect local wildlife;
- Archaeological remains may be positioned within the site;
- The proposed security measures are inadequate for the proposed use;
- Negative impacts on air quality may be caused;
- The proposal will place additional pressure on public services;

8.0 CONTACT OFFICER: Christian Barton – Planning Officer

9.0 DATE PREPARED: 10th January 2022

10.0 SUMMARY OF REPRESENTATIONS

Objection – Councillor Denise Gee. Received 23/06/2020

I would like to submit our objection to this planning application on the grounds of this is not the appropriate use.

1. This site has already failed to meet planning need due to the borough have enough provision and I am informed that is still the status.
 2. I do not see that there is enough provision to park for staffing requirements.
 3. The public rights of way will be effected due to the position of the plot
-

Objection – Joan Parkhouse, 103 Highercroft Road, Lower Darwen. Received – 10/06/2020

I am emailing regarding the letter we received this morning reference 20/20/0451.

I am seriously concerned about this application having researched the category of residents that will be living there. The letter states the residences will be for provision of specialist mental health and social care. However the category does not mention these terms.

Category C2a is for a prison, young offenders institution, detention centre , short term custody centre or military barracks .

This is extremely worrying for us as residents on Higher Croft Road and calls into question the consideration that has been given to residents' security, health and well being in allowing this application to be brought forward.

I do not believe it is a suitable position in which to place such an institution.

The letter states residents can attend the council meeting and I wish to do so.please inform me of the date of the Planning Committee meeting as soon as possible.

Objection – Joan Parkhouse, 103 Highercroft Road, Lower Darwen. Received – 24/06/2020

OBJECTIONS TO PLANNING APPLICATION 10/20/0451

- The planning application was rejected in September 2019 because it was not commissioned by the council as it was felt there was not a need for it and the unit would put a strain on already strained resources. Has the council now commissioned this unit?

- The secure unit would have an adverse effect on the ambience of this semi rural, residential street. Residents feel unnerved by the category C2a of the planning application, listing as it does, prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks. A recent Lancashire Evening Telegraph article cited the planning application was for people with autism, but there is no mention of mental health and social care in the category. The lack of transparency on the application means that residents are concerned a change of the status of residents of the secure unit could be undertaken without further consultation which would have a detrimental effect on our safety and wellbeing.

- There is a Right of Way through the site, with a designated path at the north end of it. This is referred to in the Lancashire County Council map of Rights of Way as part of the River Darwen Pathway and is covered by the Countryside and Rights of Way Act 2000. This Act refers to a Right of Way as 'a path on which the public have a legally protected right to pass and re pass'. This right of way is regularly used by families and dog walkers. The building of the secure unit would fundamentally change the nature of the access to this path as it would open walkers to a vulnerability which is not currently there.

• Flow of traffic is already an issue for residents on Higher Croft Road in relation to none residents parking too close to the barrier. Children's centre workers regularly park at the barrier causing difficulty of usage. Several years ago a 'PLEASE KEEP CLEAR' sign was painted on the road but this was largely ignored. Residents feel that this unit would exacerbate this problem, with drivers realising they can park on a quiet street without restrictions, causing difficulties for us in terms of congestion and safety. Our main worry is that emergency services may have their access compromised. Have the emergency services been consulted regarding this ?

• The site is identified in the Green Infrastructure Supplementary Planning Document for Blackburn with Darwen as a site of local ecological importance and an area of priority habitat (Stepping Stones Map 1) forming part of the Higher Croft and Newfield valley, site ref: 174. Has a habitat and ecology impact assessment been carried out for the site re the proposed development in line with the National Planning Policy Framework (Section 11) Conserving and Enhancing the Natural Environment? If so, where is this published?

• In February 2020, residents were part of a consultation regarding a large housing development of family housing in close proximity to this planning application. Has the impact of this application been considered in relation to the housing development, given the category of the secure unit and the close proximity of a Children's centre, a pharmacy and family housing?

Objection – Joan Parkhouse, 103 Highercroft Road, Lower Darwen. Received – 09/07/2020

OBJECTIONS TO PLANNING APPLICATION 10/20/0451

BACKGROUND

Higher croft Road is a quiet, residential street with a mix of families with young and older children, couples and elderly residents. People who live on the road stay, because it is a peaceful and safe environment. Many people on the road, including myself, have lived there for over 30 years.

With Higher Croft Woods behind one side of the road – which as you will know has a designation of a Biological Heritage Site, signifying its importance for nature conservation in the county, and with the playing fields on the other side of the road – which has a path which forms part of the River Darwen Parkway route, residents take full advantage of the countryside surrounding our houses, including the Right of Way through the Centurion site.

We are opposed to the proposed development on a number of points :

- The planning application was rejected in September 2019 because it was not commissioned by the council as it was felt there was not a need for it and the unit would put a strain on already strained resources. Has the council now commissioned this unit?

- Whilst the change of category from C2a to C2 is noted, the development still raises a number of concerns and questions for residents on Higher Croft Road in terms of our security and safety.

☐ In relation to the company filing the application. How could they make such a fundamental mistake as putting the wrong category in such an important document? And only change it after prompting from the Planning Department? This does not engender confidence in their ability to run a secure unit

☐ Breaches in security in such units are not unprecedented. Any breach in security of this unit would subject residents of Higher Croft Road to unnecessary risk, which would have an adverse effect on our health and wellbeing. What is the company's record on breaches in security of the units they currently run?

☐ An article from The Daily telegraph in 2017 cites a reported 64% rise in patients absconding from secure mental health units since 2014, with an impact on the resources of emergency services,

particularly the police. Have the police been consulted in relation to this possible increase in their workload and the impact on their policing of the area?

NHS England's Security Levels for Adult Secure Service Specifications are extremely worrying for residents of Higher Croft Road

Grave and immediate danger to self and others

Medium – serious risk of harm to self and others

Significant risk of harm to self and others

None of these categories alleviate our anxiety, given the possibility of breaches of security by residents of the unit in such a quiet, residential family oriented area.

- There is a Right of Way through the site, with a designated path at the north end of it. This is referred to in the Lancashire County Council map of Rights of Way as part of the River Darwen Pathway and is covered by the Countryside and Rights of Way Act 2000. This Act refers to a Right of Way as 'a path on which the public have a legally protected right to pass and re pass'. This right of way is regularly used by families and dog walkers. The building of the secure unit would fundamentally change the nature of the access to this path as it would open walkers to a vulnerability which is not currently there.

- Flow of traffic is already an issue for residents on Higher Croft Road in relation to none residents parking too close to the barrier. Children's centre workers regularly park at the barrier causing difficulty of usage. Several years ago a 'PLEASE KEEP CLEAR' sign was painted on the road but this was largely ignored. Residents feel that this unit would exacerbate this problem, with drivers realising they can park on a quiet street without restrictions, causing difficulties for us in terms of congestion and safety. Our main worry is that emergency services may have their access compromised. Have the emergency services been consulted regarding this ?

- The site is identified in the Green Infrastructure Supplementary Planning Document for Blackburn with Darwen as a site of local ecological importance and an area of priority habitat (Stepping Stones Map 1) forming part of the Higher Croft and Newfield valley, site ref: 174.

Has a habitat and ecology impact assessment been carried out for the site of the proposed development in line with the national Planning Policy Framework (Section 11): Conserving and Enhancing the National Environment ? If so, where has this been published?

- In February 2020, residents were part of a consultation regarding a large housing development of family housing in close proximity to this planning application. Has there been an impact assessment and appropriateness of location for this application for a secure unit in relation its close proximity to family housing, Highercroft woods, the Children's Centre and local schools?

Objection – Joan Parkhouse, 103 Highercroft Road, Lower Darwen. Received – 23/12/2020

I am writing in response to the amendments to application 10/20/0451.

Firstly, the timing of the letter and the deadline for responses are extremely disappointing given the Christmas and new year period and the lack of availability of your department to clarify any queries. So, we are left with a great deal of frustration given that we have been very conscientious in tracking the progress of the application.

In your letter you state that the amendments to the application can be seen on the council planning website. These are not immediately accessible and quite hard to find to be honest and some of our

residents are very upset that the planning department appear to be making it very difficult for residents to access important information they could affect their safety and well being in their own homes.

I note the applicant has completed a biodiversity survey which implies there is no affect to the site by the building. We accept this.

There is no reference that I can see in the amendments to the agreement of other local authorities agreeing to fund their residents staying at the site. Has this been agreed?

We have contacted the Forestry Commission regarding the trees on the site to request support from them to preserve the trees.

Given the short time frame for your responses we may not have a decision by 6/1/21. Will any decision after that be considered?

Will our original objection emails still be considered , as a number of valid points were made on those that haven't been addressed by the amendments?

Objection – Elena Tyler, 105 Highercroft Road, Lower Darwen. Received – 11/06/2020

I am writing to oppose a planning application to build secure residential units on the former Centurion Public House, reference number: 10/20/0451.

I am a resident at 105 Higher Croft Road - directly opposite where the single-story blocks are proposed to be built. The development of such a facility is causing great worry not only to myself but the surrounding neighbourhood, therefore through my opposition I will list some key comments that need to be considered by yourself.

There are a number of conflicting effects that the build will have on our residential amenity. The unit will create disturbance in many different ways, from the wildlife living in the woods to the use of my road.

At the proposed site entrance on Higher Croft Road there is a locked barrier which is covered by a Traffic Prohibition, this is used by emergency service vehicles as they are unable to gain access to the road via Lower Darwen. The influx of traffic and parking, which the unit will almost certainly bring, will have adverse effects on the ability for emergency services to access the road through the barrier. Outlined in the planning application is car parking for those using or visiting the unit, from past experience when the land bore a Public House the amount of traffic was phenomenal – posing not only a risk to the general public who use the area but also having a detrimental effect on the levels of pollution.

The facility will also affect the character of the neighbourhood, a few hundred yards in both directions from the planning site are other facilities which vulnerable people use daily. A number of nurseries and schools surround the site, as well as a health centre and children's playgrounds. No information has been given as to what category of persons will be living in the proposed secure unit therefore, I feel it is inappropriate to then place such a facility amongst such vulnerable assets of the community.

I understand and completely support the care and rehabilitation of mental health service users, but I feel that the location of the site is inadequate to best facilitate the needs of patients as well as the surrounding community. History shows that secure units are not always as secure as they are meant to be, if a service user was to abscond would this not pose a threat to the children walking home from school? Or the elderly dog walkers on their evening stroll? There have been many cases of

residents going AWOL from such units and injuring others in the process, this is not something I want for my neighbours or my community.

Overall, I feel as though there are many other sites within Blackburn and Darwen which are much more suitable to be used as secure accommodation for those with specific mental health needs than the former Centurion Public House. I would also like to re-iterate I am in no way discriminating against those who lack capacity and fully support their rehabilitation into independent living, but the protection of a community must come first.

Objection – Dorothy & Frank Barton, 87 Highercroft Road, Lower Darwen. Received – 12/06/2020

Dear Mr Prescott

I am writing to lodge an objection to the above planning Application on the site of Former Centurion Public House Higher Croft Rd Blackburn BB3 0QT

While I understand the urgent need for these units and the needs of the people who because of Mental Health issues cannot live safely in the community. I also have great sympathy for their families who need to know they are in a safe and secure environment.

I feel however that the location of the above site is not a suitable place for this facility located as it is on the edge of a large wooded area which stretches behind the full length of Higher Croft Rd to Stopes Brow and from behind Higher Croft Rd to Newfield Drive in width

Children from the Higher Croft Estate and surrounding areas often play in these woods, some unaccompanied. It is also used by children on the Newfield Drive side to go to and from St James's School at the top of Stopes Brow and on the other side often used by children going to Darwen Vale Academy Bolton Rd at the top of Sandy Lane and Lower Darwen Primary School on Milking Lane.

If at anytime a resident of this establishment managed to abscond (certainly not a rare event in other similar units) its location would present a real danger to the public especially to unaccompanied children and a perfect hideout for the one who had absconded.

In addition to this there is a path running in front of the Higher Croft cottages past the proposed units which is used by residents of our road going to attend doctors appointments, for access to the Library, Chemist, shops and Energy Zone S A M S and used by some families going to the children's Centre at the top of Higher Croft Rd. This path is quite secluded beyond the cottages until you reach the Doctors Surgery and in winter especially quite dark.

Thank you for your considerations

Objection – Mr & Mrs F & D Barton, 87 Highercroft Road, Lower Darwen. Received – 24/06/2020

I am writing to lodge an objection to the above planning
Application on the site of
Former Centurion Public House
Higher Croft Rd
Blackburn
BB3 0QT

While I understand the urgent need for these units and the
needs of the people who because of Mental Health issues
cannot live safely in the community.
I also have great sympathy for their families who need to know they are in a safe and secure
environment.

I feel however that the location of the above site is not a suitable place for this facility located as it is
on the edge of a large wooded area which stretches behind the full length of Higher Croft Rd to
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Children from the Higher Croft Estate and surrounding areas often play in these woods, some
unaccompanied. It is also used by children on the Newfield Drive side to go to and from St James's
School at the top of Stopes Brow and on the other side often used by children going to Darwen Vale
Academy Bolton Rd at the top of Sandy Lane and Lower Darwen Primary School on Milking Lane.

If at any time a resident of this establishment managed to abscond (certainly not a rare event in
other similar units) it's location would present a real danger to the public especially to
unaccompanied children and a perfect hideout for the one who had absconded.

In addition to this there is a path running in front of the Higher Croft cottages past the
proposed units which is used by residents of our road going to attend doctors' appointments, access
to the Library, Chemist, shops and Energy Zone SAMS and used by some families going to the
children's Centre at the top of Higher Croft Rd. This path is quite secluded beyond the cottages until
you reach the Doctors Surgery and in winter especially quite dark.

Objection – Mr Frank & Mrs Dorothy Barton, 87 Highercroft Road, Lower Darwen. Received – 23/12/2020

To say we were shocked to receive this letter two days before Christmas with a response date limited to the 6th January 2021 is an understatement

It is unclear what has changed in the application only that C2 becomes C2a with no explanation of what that would mean.

We as a group of residents of Higher Croft Rd have been kept informed throughout by our representative Mrs Joan Parkhouse and even though she has asked to be kept informed of any progress concerning this application even as recently as just over a week ago she was told that nothing had changed.

I personally have recently seen how Councils can operate Friends of ours who live in Horwich have been the victims of the underhand dealings of Bolton Council who did not even inform Horwich Councillors of their actions it is appalling.

Please explain clearly what these changes are and know that we are alert to what can happen under the radar

Objection – Mr D Calvert, 6 Highercroft Cottages, Lower Darwen. Received – 18/06/2020

With regards to the above application I have strong reservations with regards the suitability of this application in this area and wish to lodge my objection for a number of reasons detailed below.

Firstly the application is not in keeping with the Government and Council's " Local Plan " in particular Policy 47 as I feel it will largely be used by people not currently resident in the town and will thus cause an even greater burden on the towns already stretched finances and resources such as our NHS, Police ,Fire and Ambulance Services.

There is also the issue of four public footpaths / rights of way that either cross or circumnavigate the site (three of which are widely used and one being disused) Three of these are used daily by the wider public to access Highercroft Nature Reserve and The Darwen Parkway. Given the widespread use I feel that greater public consultation needs to take place with all users and not just the few local residents.

And given that the proposal involves permanently closing 3 of these paths we are going to lose valuable rights of way. Also the proposed "new" path would have a detrimental effect on the "Human Rights" of the residents of Highercroft Cottages due to the increased footfall .

Another issue that the application fails to address is the historical / archaeological significance of the site (it being the site of Highercroft Hall) although the Hall has long since gone the foundations and possible cellars need properly recording and saving for future generations as it forms part of the town's historical past.

Another issue would be the effect of increased traffic to and from the site with the entrance being a known historical blackspot (from when the site was a public house) with two single carriageways merging into a two lane carriageway with the entrance being a blind spot. Traffic calming measures would certainly need to be considered / incorporated.

We have also got a issue of staff failing to use car parks and parking on local streets (as is the case with The Childrens Centre) in order to save a long drive around to get to work due to the barrier part way up Highercroft rd .This causes congestion on the local streets.

Then we have the issue of the scale and type of proposed fencing in this so-called "secure unit " with fencing being made of wood and only being 1.8 metres high - this will undoubtedly cause worry and stress to local residents and users of the nearby " Children's Centre" affecting people's Human Rights.

Another concern would be the effect on the viability of the proposed large scale housing project that is planned for the area by the Council and whether prospective buyers would wish to buy a house in such close proximity to a " Secure Mental Unit " given that the target purchasers would be families with young children. The Council seem to largely have public backing for the housing scheme but might public opinion change in view of this application going ahead ?I hope the planning team / committee are able to take on board some / all of these concerns when making your decision.

Objection – D Calvert, 6 Highercroft Cottages, Lower Darwen. Received – 25/06/2020

With regards the above application and in light of the letter advising us of the amended change of category from C2a to C2 we now have no concerns with regards to the security issues we raised however all other issues raised remain the same.

We also have real concerns that this change may be used as a "back way in " were this amended application is passed and the development gets built and used for 12 months or so then a "change of use " to category C2a gets put in and we get no say into that decision that the council would take. We would therefore seek some assurances that it would be a condition of passing the application that a condition of no change of future use is to be allowed.

Once again I hope that these concerns are taken on board when making your decision

Objection – Dr K Nickson & Dr I Nickson, 66 Highercroft Road, Lower Darwen. Received – 18/06/2020

I would like to formally submit my objections to the planning application notice ref: 10/20/0451. I am a resident at 66 higher Croft Road, in the near vicinity of the proposed building. I have numbered my objections below:

1. Lack of clarity

I have found there to be a lack of clarity in the plans available on the Blackburn with Darwen council website.

The plan is to build a C2a dwelling for mental health and social care provision. My understanding of the C2a classification is:

Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.

Would the new facility be classed as a secure hospital? Does the facility need the C2a classification if it is to be an assisted living facility for people with autism (as suggested by the local newspaper) In the future, could it change use within the same category without informing local residents? e.g secure hospital to young offenders institute.? Are the proposed security measures in the planning application applicable to a category C2a facility? As a parent of two young children, I would like to know what safeguarding measures have been taken to protect the safety of both residents within the facility and residents in the wider community. I feel that I need further clarification on these points above in order to make an informed decision on this point.

2. local environment

Has consideration been given to the local environment? In the immediate vicinity of the proposed dwelling there is a childrens centre with nursery, a doctors surgery, pharmacy, library, childrens' play parks and local shops with a primary school a little further away. Most of these facilities are regularly used by vulnerable people/minors on a daily basis. The woodland and wildlife habitats surrounding the site are also very diverse. I feel that a C2a facility would also cause a sense of unease within the local community if it were to be placed in the proposed site due to the public footpaths around the site being very secluded.

3. Site access and traffic disruption

Has site access been fully considered? Access to the site would be from the fishmoor drive side of the site, large construction deliveries/equipment may struggle with access. The road surface on fishmoor drive is poor and it also has numerous speed bumps and there is a tight turn onto Higher Croft road, and again into the site.

Higher Croft gate access. There is gated access at the top of Higher Croft road which is covered by Traffic Prohibition This gate is needed for access by the emergency services to attend any emergencies on Higher Croft road. Are you able to guarantee that access to the gate at the top of Higher Croft road would never be blocked at any time? I understand that there is a carpar in the proposed plans, however, there is no guarantee that staff/visitors will use it. The likelihood is that staff/visitors will drive up Higher Croft road, park at the top and walk the few hundred yards to work thus increasing traffic and pollution on the road. It will also impact the safety of the many children living on the road if the road were to become busier.

I completely understand and support the care and rehabilitation of mental health sufferers, however, I feel that the proposed development site is unsuitable for the intended purpose.

Objection – Andrew Hayhurst. Received – 19/06/2020

Please accept the lateness of my submission, following a recent circular which drew my attention to the proposed development application No above, I looked on the BWD planning web site to ascertain the detail of the development. I do understand that the notification process has to have a geographical limit and had it not been for my neighbour's diligence this application would have passed me by. The consultation terminated at 61 Highercroft Rd and I live at 59.

Having reviewed the application details and associated documents I feel compelled to point out that (though I may have missed it), the environmental impact survey report does not make reference to the fact that the site is identified in the adopted: Green Infrastructure Supplementary Planning Document for Blackburn With Darwen as a site of local ecological importance and area of priority

habitat (stepping Stones Map 1), forming part of the Highercroft and Newfield Valley, site ref 174. I believe the only reference made to any ecological site of significance is to the River Darwen Parkway some 500m away.

By permitting this development to proceed this would fragment the site and potentially create an artificial barrier to the free movement of wildlife through the area and adversely affect the wider Lancashire Ecological Networks, whilst also interrupting the off road footpath network connecting Highercroft /Newfield Valley with the River Darwen Valley.

I believe that by not taking account of the site's status as a stepping stone site, I do not feel that adequate consideration has been given: Under Section 8 of the SPD and Core Strategy policy CS19 taken to: avoid, mitigate or compensate for the loss of amenity and disruption to the wildlife corridor which would result from the fragmentation of this local area of ecological importance.

Objection – John & Christine Swift, 63 Highercroft Road, Lower Darwen. Received – 19/06/2020

To the committee,
We live on the above road where a proposal to build a C2A building has been lodged.

We are appealing this application.

We are an elderly couple and have lived on this road for 20 Years,we bought here due to it's quiet and safe nature.

The proposal raises serious issues with regard to access to the proposed building. Higher Croft Road is accessed from Lower Darwen via a single track lane for approx 300 meters, this causes considerable congestion especially at peak times with traffic having to reverse out from the bottom section onto the main road to allow vehicles to get out of the road which itself creates a danger to vehicles on the main road.

With this proposal comes the very real risk of contractors and visitors using this restricted access point,then to find the top of the road is blocked by a very necessary barrier. That will in turn make them park on an already congested residential road creating problems for residents and a serious danger for young children playing in the area, there a lots of young families on the road.

We feel that the safety and security of the residents of the road will be compromised with the building of a C2A unit with no certainty of security.

Objection – John & Christine Swift, 63 Highercroft Road, Lower Darwen. Received – 10/07/2020

Revised objection to Your ref: 10/20/0451

We live on the above road where a proposal to build a C2 (revised) building has been lodged.

We are objecting to this application.

It does seem strange that the applicant has changed the category after you received objections.

We are an elderly couple and have lived on this road for 20 Years, we bought on this road due to it's quiet and safe nature.

We enjoy living on Higher Croft Road and feel very safe and secure with the neighbours we have around us, there is a very good community spirit among the residents.

The proposal raises very serious issues with regard to access to the proposed building. Whilst the proposed building is at the top of the road and must be accessed via Fishmoor Drive, Higher Croft Road is accessed from Lower Darwen via a single track lane for approx 300 meters, this causes considerable congestion especially at peak times with traffic having to reverse out from the bottom section onto the main road to allow vehicles to get out of the road which itself creates a danger to vehicles on the main road.

With this proposal comes the very real risk of contractors and visitors using this restricted access point, then to find the top of the road is blocked by a very necessary barrier. That will in turn make them park on an already congested residential road (Higher Croft Road) creating problems for residents and a serious risk of danger for young children playing in the area, there a lots of young families on the road.

Has a risk assessment been provided by the applicant with regards the safety and security of the proposed facility? If so when will the residents receive a copy? If not why not?

What have the police and other emergency services had to say on this proposal? They will be the ones having to respond to call outs.

We feel that the safety and security of the residents of the road will be compromised with the building of a C2 unit with no certainty of security.

Objection – John & Christine Swift, 63 Highercroft Road, Lower Darwen. Received – 04/01/2021

Revised observations to Your ref: 10/20/0451

In response to your recent letter dated 21/12/20

As you already have a letter from us re this application I will reply only to this application letter.

In your previous letter to Mrs Parkhouse (I assume this was for the residents as we did not receive a copy), I see that you stated that the applicant would have to get consensus from other local authorities that they will pay for any residents that use the facility.

I do not see that commitment from any local authorities nor confirmation from the applicant that this has been completed.

If this commitment has not been received by the council then the application surely cannot proceed.

If you have received this commitment can you confirm by forwarding a copy of it.

It is concerning that we have received this letter in Christmas week when all are busy, it does seem that someone is trying to get this application through without giving residents enough time to consider their response to the revision.

I am writing to notify you of my objection to a planning application to build secure residential units on the former site of the Centurion Public House, reference no. 10/20/0451.

I appreciate that provision should and must be provided for specialist mental health and social care but am

concerned that such a facility, with its C2a classification, would not be appropriate for this site, security being the main issue.

This site is surrounded by homes of families, many with young children and those of venerable elderly folk. Very close to the site is a Children's Centre, a Health Centre, a pharmacy

and a children's playground all involving a large footfall of young children and the elderly.

A number of nursery, infant and junior schools, are within the neighbourhood which necessitate young children travelling to and fro close to this proposed facility...

raising some concerns for their safety.

As no details have been given about the security of this facility or more precisely its use, given its C2a classification you can perhaps appreciate my concern.

Objection – Mr & Mrs Longden, 72 Highcroft Road, Lower Darwen. Received – 29/06/2020

I have recently received the planning notice as detailed above, from my understanding the category of the plan will be to build a C2a dwelling, a secure residence in our quiet and secluded area so close to woodland behind our homes.

Please consider these points below;

- Has there been any consideration for the local amenities such as the children's centre, community centre, library, doctor's surgery pharmacy & local shops.
- Vulnerable residents, school children & elderly walking in the area feeling currently 'safe' as they walk home or to the shops, doctors or library, I feel the character of the area will change. Is this fair for resident?
- Higher Croft Road barrier access would be an issue due to excess parking & congestion around the entrance to the site, which would be detrimental to emergency services attending our homes on Higher Croft Road. Currently we have parking issues with visitors or staff attending the Children's Centre & leaving their cars parked near the barrier as it is a short cut, prior to the Training 2000 (school) being demolished, again staff used the barrier

area to park so this congestion issue near the barrier is ongoing and will only exasperate the problem, it must not be dismissed whilst considering this new application.

- I completely support the rehabilitation of social & mental health service and certainly do not discriminate against the autistic service users as the suggested use recently in our local newspaper. However, there was no mention about the possibility the Centurion site may at some point be used for; prison, young offenders institution, detention centre, Is this an intended 'loophole' for the C2a Category for change of its use at a later date?
- It is a totally unsuitable secluded site in the midst of the peacefulness ambience behind our homes, doesn't seem safe or fair that my family & other residents 'feeling of safety' be compromised by the constant possibility & worry about a breach in the security of this proposed C2s Category dwelling.
- Also the shared path which is a 'public right of way' past Higher Croft cottages is used daily by many residents including vulnerable elders & children of all ages walking home from secondary schools. Residents attend the library, community centre, doctor's surgery & chemist. Again, very secluded, currently without the worry of 'absconders' from the proposed 'secure' residency

I trust you will consider our concerns in due course. Look forward to a satisfactory outcome to this planning application.

Objection – Ms C Waring, 105 Highercroft Road, Lower Darwen. Received – 14/07/2020

I am writing to oppose a planning application to build secure residential units on the former Centurion Public House, reference number: 10/20/0451.

I oppose on these grounds;

The planning application was rejected in September 2019 because it was not commissioned by the council as it was felt there was not a need for it and the unit would put a strain on already strained resources. Has the council now commissioned this unit?

In relation to the company filing the application. How could they make such a fundamental mistake as putting the wrong category in such an important document? And only change it after prompting from the Planning Department? This does not engender confidence in their ability to run a secure unit

Whilst the change of category from C2a to C2 is noted, the development still raises a number of concerns and questions for residents on Higher Croft Road in terms of our security and safety.

Breaches in security in such units are not unprecedented. Any breach in security of this unit would subject residents of Higher Croft Road to unnecessary risk, which would have an adverse effect on our health and wellbeing. What is the company's record on breaches in security of the units they currently run?

An article from The Daily telegraph in 2017 cites a reported 64% rise in patients absconding from secure mental health units since 2014, with an impact on the resources of emergency services, particularly the police. Have the police been consulted in relation to this possible increase in their workload and the impact on their policing of the area?

NHS England's Security Levels for Adult Secure Service Specifications are extremely worrying for residents of Higher Croft Road

- * Grave and immediate danger to self and others
- * Medium – serious risk of harm to self and others
- * Significant risk of harm to self and others

None of these categories alleviate our anxiety, given the possibility of breaches of security by residents of the unit in such a quiet, residential family oriented area.

There is a Right of Way through the site, with a designated path at the north end of it. This is referred to in the Lancashire County Council map of Rights of Way as part of the River Darwen Pathway and is covered by the Countryside and Rights of Way Act 2000. This Act refers to a Right of Way as 'a path on which the public have a legally protected right to pass and re pass'. This right of way is regularly used by families and dog walkers. The building of the secure unit would fundamentally change the nature of the access to this path as it would open walkers to a vulnerability which is not currently there.

Flow of traffic is already an issue for residents on Higher Croft Road in relation to none residents parking too close to the barrier. Children's centre workers regularly park at the barrier causing difficulty of usage. Several years ago a 'PLEASE KEEP CLEAR' sign was painted on the road but this was largely ignored. Residents feel that this unit would exacerbate this problem, with drivers realising they can park on a quiet street without restrictions, causing difficulties for us in terms of congestion and safety. Our main worry is that emergency services may have their access compromised. Have the emergency services been consulted regarding this ?

Has a habitat and ecology impact assessment been carried out for the site of the proposed development in line with the national Planning Policy Framework (Section 11): Conserving and Enhancing the National Environment ? If so, where has this been published?

The site is identified in the Green Infrastructure Supplementary Planning Document for Blackburn with Darwen as a site of local ecological importance and an area of priority habitat (Stepping Stones Map 1) forming part of the Higher Croft and Newfield valley, site ref: 174.

In February 2020, residents were part of a consultation regarding a large housing development of family housing in close proximity to this planning application. Has there been an impact assessment and appropriateness of location for this application for a secure unit in relation its close proximity to family housing, Highercroft woods, the Children's Centre and local schools?

Objection – Karen Jones. Received – 12/11/2021

My name is karen jones and I've received a residents letter asking me to forward observations for the planned autistic centre at the old centurion site Ref10/20/0451

I'm seriously concerned about parking as we live in the adjacent cottages and the parking outside our homes is private .

We don't want the facility users and visitors using our private spaces outside our homes .

We are asking that you recognise this and enforce it by putting up signage stating clearly that it's resident parking and our visitors only .

Also at the barrier which stops traffic using it as a thoroughfare .from the main road .

It used to have signage on the floor stating KEEP CLEAR for the emergency services and larger vehicles that would otherwise get stuck at the bridge .

What I'm observing is that we need help for this to be kept fair and respect the neighbours that are already here and things run smoothly .. meaning people can get to work and go back and forth as they please without car parking wars ..

There are never any problems around here regarding car parking normally please don't start upsetting everybody for the sake of not putting up A few signs and updating inadequate signage .

If you can't help me with this or put this forward to anyone who can please could you point me in the right direction so that it can be sorted out properly before this facility happens .

I don't have your direct email address .

Could you reply ASAPP so that I know you have received this ..
