

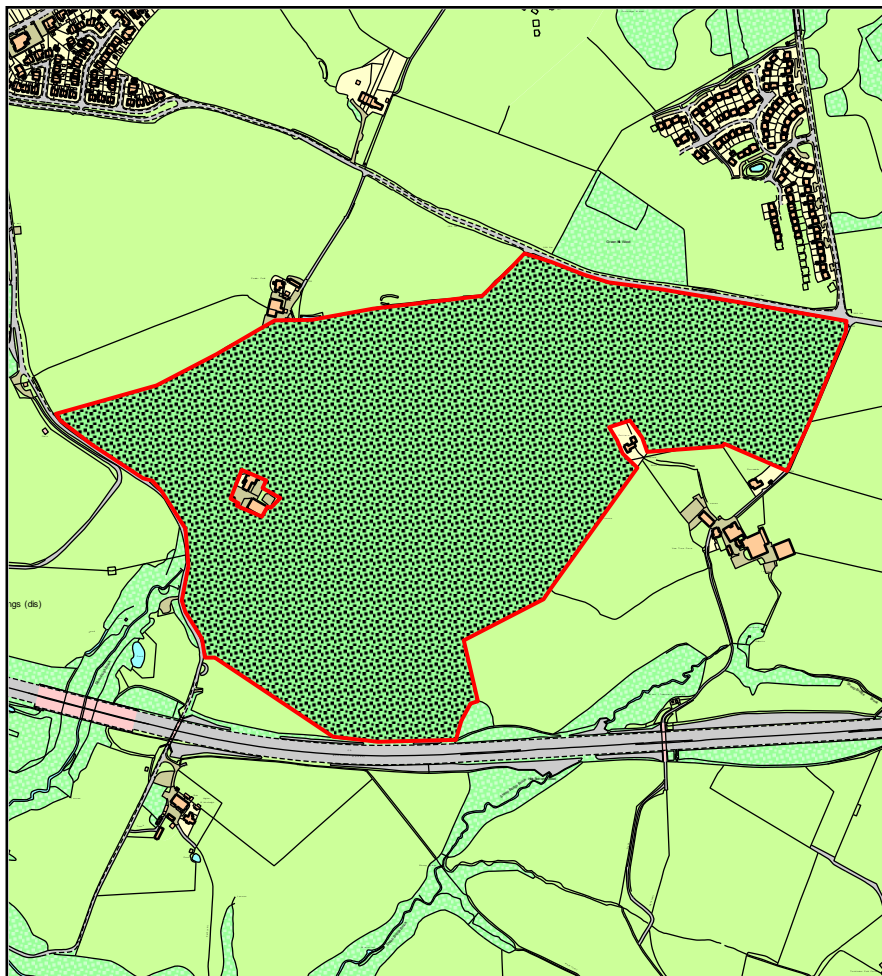
Proposed development: Reserved Matters Application for: Approval of reserved matters for the appearance, landscaping, layout and scale of 450 residential units, pursuant to planning application 10/18/1116 'redevelopment of the site to include over 28ha of open space, paddocks and landscaping and up to 450 residential units (Use Class C3), along with any ancillary parking, amenity, and all other associated public, semi public and private realm, soft/hard landscaping, infrastructure and highway works, access and a new internal road network connecting with the existing road network'

**Site address:
Land at Brokenstone Road
Blackburn
BB3 0LL**

Applicant: Pleasington Lakes Regeneration Ltd and Taylor Wimpey UK Ltd

Ward: Livesey With Pleasington

**Councillor Derek Hardman
Councillor Paul Marrow
Councillor Mark Russell**



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – subject to conditions set out at paragraph 4.1.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 This significant major planning application is submitted in the form of a Reserved Matters proposal for 450 dwellings, relating to Appearance; Landscaping; Layout; and Scale. The application is pursuant to the grant of Outline Planning Permission for up to 450 dwellings, with all matters reserved except for access. Outline permission was granted as part of a hybrid application which included the grant of full permission for remediation of the site. Site remediation has begun, in accordance with an approved Remediation Strategy.
- 2.2 Assessment of the application establishes that the proposal will deliver a high quality bespoke housing development which will widen the choice of family housing, in support of the Borough's planning strategy for housing growth, as set out in the Core Strategy. The proposal is also satisfactory from a technical point of view, with all issues having been addressed through the application, or capable of being controlled or mitigated through planning conditions.
- 2.3 Members are advised that the outline permission established the principle of a housing led development at the site, of up to 450 dwellings with associated access arrangements off Broken Stone Road. This application seeks permission for, and is limited to, the remaining reserved matters, as listed above.
- 2.4 Outline permission was subject to a Section 106 Agreement securing financial contributions towards local education provision and works to the strategic road network. Additionally, conditions are attached to the outline permission pertaining to a range of technical matters. Where necessary, these matters will be considered under separate discharge of condition applications, submitted at the appropriate time. Full details of the financial contributions and conditions are set out at paragraphs 4.1.2 and 4.1.3.

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1 The application site (the site) covers an area of circa 46 hectares and is effectively divided into two by Stockclough Brook and a linear belt of woodland known as Potters Plantation (circa 1.4 hectares) that runs from the eastern boundary close to the property of Yew Tree, west towards Lower Whitehalgh Farm. The woodland and watercourse clearly defines the northern and southern sections of the site. The northern section of the site is open land south of Broken Stone Road and measures approximately 16.4 hectares

where the development will take place. The southern section of the site is also open grassland with the M65 motorway defining the southern boundary and is approximately 28.2 hectares.

- 3.1.2 The site is irregular in shape and undulates. It falls generally from the high point in the north eastern corner, adjacent to Broken Stone Road, to the west, which is circa 55m lower. The site is generally open countryside with distant views to the south and south west towards the West Pennines. The site is bounded by the M65 transport corridor on the southern edge.
- 3.1.3 Several properties are located on the site periphery. Most notably these include Fowler Fold to the north, Potters Farm to the east and Lower Whitehalgh Farm to the west. The northern portion of the site also includes spoil heaps which appear as unnatural man-made features in contrast to the natural topography and land form throughout much of the remainder of the area. The spoil heaps are a legacy feature of unauthorised works carried out in the late 1990's and early 2000's, which remain following an inert waste and composting treatment operation under a Waste Management Exemption License. Land remediation involving re-contouring of the affected portion of the site is subject to the aforementioned grant of full planning permission, as part of the hybrid application and was an important material consideration in support of housing led development.
- 3.1.4 An overhead power line traverses the southern section of the site in an east to west direction.
- 3.1.5 The site is located on the south-western fringe of Blackburn, in close proximity to the 'Gib Lane' housing allocation (Local Plan reference 16/9).
- 3.1.6 In accordance with the adopted Local Plan part 2, the site lies within open countryside.
- 3.1.7 The site is defined by the red edge, as illustrated below:



Extracted from Design Justification Statement (mpsl planning & design, Sept 2021)

3.2 Proposed Development

- 3.2.1 The application follows pre-application discussions between the applicant and Council's Officers. These discussions have helped inform the design and technical aspects of the proposal, within the parameters of the site constraints. The development will jointly delivered by Taylor Wimpey PLC and Barratt Homes.
- 3.2.2 Approval of Reserved Matters, following Outline Approval, is sought for the appearance, landscaping, layout and scale for 450 dwellings along with any ancillary parking, amenity, and all other associated public, semi public and private realm, soft/hard landscaping, infrastructure and highway works, access and a new internal road network connecting with the existing road network, pursuant to the outline permission. Details are set out in the submitted drawings and Design & Access Statement.
- 3.2.3 The submitted planning layout (below) illustrates how the site is to be developed. It is derived from the indicative plans submitted at the outline stage.



Illustrative Site Layout, mpsl planning & design.

3.2.4 Dwellings will comprise a mix of 60% detached 4 and 5 bed dwellings and 40% semi-detached 3 bed dwellings. This is in response to the Council's aspiration for the site to deliver a range of larger, executive style properties for this area of Blackburn. The full accommodation schedule is listed below, as extracted from the submitted Design Justification Statement (mpsl planning & design, Sept 2021):

ACCOMMODATION SCHEDULE		
House Type	Description	No.
LAVENHAM	5 Bed Detached	19
KINGHAM	4 Bed Detached	21
MANFORD	4 Bed Detached	20
COLTHAM	4 Bed Detached	24
TRUSDALE	4 Bed Detached	20
LYDFORD	4 Bed Detached	28
LYDFORD SEMI	4 Bed Semi Detached	12
WOODCOTE	4 Bed Semi Detached	28
HEMSWORTH	4 Bed Detached	16
ALDERNEY	4 Bed Detached	31
HALE	4 Bed Detached	22
ASHBURTON	4 Bed Detached	12
LAMBERTON	4 Bed Detached	18
ALFRETON	4 Bed Detached	22
KINGSVILLE	3/4 Bed Semi/Mews	25
BRAXTON SEMI	3 Bed Semi Detached	36
AMERSHAM	3 Bed Detached	9
BYFORD SEMI	3 Bed Semi Detached	12
EASEDALE	3 Bed Semi Detached	6

ACCOMMODATION SCHEDULE		
House Type	Description	No.
MAIDSTONE	3 Semi Detached	10
ELLERTON	3 Bed Semi/Mews	34
LUTTERWORTH	3 Bed Detached	7
GOSFORD END	3 Bed SEMI - Detached	18
	TOTAL	450

Figure 7: Schedule of accommodation.

- 3.2.5 The development proposals include open space to the south of the site, which will include an informal play and picnic area and a footpath will link from the picnic area south into the recreation area. This follows the contours up to a Viewing Area at the high point on the site to provide panoramic views southeast over Tockholes toward Darwen Tower. Overall, the site benefits from approximately 28.2ha of landscaped area. An overview of the different character areas and wider landscape strategy is provided in the Design and Access Statement and detailed further in the supporting landscape plans.
- 3.2.6 Potters Plantation is the sites biggest landscape asset and this proposal seeks to maintain this feature within the middle of the site. It forms a buffer to the residential development to the north of the site and a transition area to the greenspace to the south of the site. The development has been designed in detail such that there will be no impact on the plantation, indeed there are significant areas of open space adjoining the plantation.
- 3.2.7 The area to the south of Potters Plantation is currently unused, with limited access and with a topography which is a constraint to access. This proposal seeks to regrade large areas of this open space as part of the remediation process which in turn will be enhanced to provide better and more convenient access through additional footpaths.
- 3.2.8 The proposal also seeks to improve biodiversity of the site with large areas of wildflower meadow planting.
- 3.2.9 The landscape strategy has been designed to provide high percentages of native tree and shrub planting across the Site. Shrub planting has been carefully chosen to create year round interest, offering a variety of colours and textures across the Site. Front garden space will comprise lawned areas complimented by a mix of native / ornamental shrub and hedge planting which will naturally blend with development edges and peripheral areas, creating an overriding character.
- 3.2.10 Private driveways, where applicable, are separated with native tree planting which vary in size, offering seasonal colour and visual interest within the street scape. Rear gardens will be turfed apart from the areas of hardstanding reserved for refuse and patios. Refer to the landscaping plans prepared by Pegasus, submitted as part of the application for further details.
- 3.2.11 The outline permission includes two new vehicular access points on to Brokenstone Road, spaced circa 300m apart. Both allow for in and out movements from the site and will be linked by a new pedestrian footway. This will also be reflected in this application. Vehicular access into the site will be provided for via two main vehicular access junctions off Brokenstone Road to the north. The proposed vehicular access junctions will be priority controlled and have 5.5 metre carriageways, 2 metre footways and corner radii of 6 metres. Visibility Splays of 2.4 metres by 43 metres are provided at each junction in line with the proposals for the introduction of 30mph speed limit on Brokenstone Road. An emergency only access / egress from Stockclough

Lane is also included. Emergency use only will be secured via provision of a retractable bollard.

3.2.12 Pedestrian and cycle accesses to the site would be also provided via the proposed site access junctions. The public right of way which passes to the east of Fowler Fold Farm and south into the application site will also be incorporated into the scheme and will be enhanced as it passes through the site, supported by open space and connected informal play spaces.

3.2.13 Within the site there is a hierarchy of roads, with differing materials to make the hierarchy clear. The main spine road through the site includes some tree planting chicanes to slow the movement of vehicles.

3.2.14 The spine road connects into a series of smaller secondary and tertiary roads, some of these connect into private drives.

3.2.15 The following parking provision is proposed in accordance with the Council's benchmark standards:

- 2 - 3 bedrooms house – 2 car spaces and 2 secure cycle spaces per dwelling;
- 4 + bedrooms house – 3 car spaces and 2 secure cycle spaces per dwelling; and
- All proposed garages have internal dimensions of 6 metres by 3 metres.

3.2.16 The overhead power cable which crosses the site will be removed / redirected, in consultation with the relevant statutory body.

3.3 Development Plan

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

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

3.3.3 Core Strategy

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

3.3.4 Local Plan Part 2

- Policy 1 – The Urban Boundary
- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 9 – Development and the Environment
- Policy 10 – Accessibility and Transport
- Policy 11 – Design
- Policy 12 – Developer Contributions
- Policy 16/9 – Housing Land Allocations (Gib Lane Development Site, Blackburn)
- Policy 18 – Housing Mix
- Policy 36 – Climate Change
- Policy 40 – Integrating Green Infrastructure and Ecological Networks with New Development
- Policy 41 – Landscape

3.4 **Other Material Planning Considerations**

3.4.5 Residential Design Guide Supplementary Planning Document

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

3.4.6 National Planning Policy Framework (NPPF)

In particular Section 5 of the NPPF relates to delivering a sufficient supply of high quality homes, and Section 8 relates to promoting healthy and safe communities.

3.5 **Assessment**

3.5.1 Assessment of this Reserved Matters application is limited the following matters:

- **Appearance:** Aspects of a building or place which affect the way it looks, including the exterior of the development.
- **Landscaping:** The improvement or protection of the amenities of the site and the surrounding area; this could include planting trees or hedges as a screen.
- **Layout:** Includes buildings, routes and open spaces within the development and the way they are laid out in relation to buildings, routes and open space outside the development.
- **Scale:** Includes information on the size of the development, including the height, width and length of each proposed building.

3.5.2 Appearance

A range of house types is proposed across the development, taking reference from the ongoing development on the opposite side of Brokenstone Road and the rural character in general. Although the development will be delivered by two house builders, a coordinated approach to house styles, including elevational treatments, is demonstrated.

3.5.3 Three character areas are proposed, in response to the defining characteristics of the site, particularly features peripheral to the proposed built development. A range of external materials and elevation styles are proposed. The character areas are defined, as illustrated below:



- Green Edge
- Urban Edge
- Development

Extracted from Design Justification Statement (mpsl planning & design, Sept 2021)

3.5.4 The 'Green Edge' comprises properties positioned immediately adjacent to woodland to the south (Potters Plantation), Brokenstone Road to the north, Stockclough Lane to the west and the eastern boundary. These dwellings will feature reconstituted stone, artstone detailing and grey roof tiles. House types and an example street scene are illustrated below:





Extracted from Design Justification Statement (mpsl planning & design, Sept 2021)

3.5.5 The 'Urban Edge' character comprises clusters of properties towards the central portion of the site. Character is derived from the housing development to the north, and the wider context. Dwellings will feature red brick facings, contrasting brick details and grey roof tiles. House types and an example street scene are illustrated below:



Extracted from Design Justification Statement (mpsl planning & design, Sept 2021)

3.5.6 The 'Development Edge' comprises clusters of properties within the site, and will also be used to define key vistas and the open space to the south of Fowler Fold. Dwellings will feature buff brick facings, buff brick voussoirs (wedge shape), tile window sills, contrasting brick band course, contrasting



Extracted from Design Justification Statement (mpsl planning & design, Sept 2021)

- 3.5.7 Dwellings are proportionate in scale, comprising predominantly 2 storey's. Some 2.5 storey's feature within the central portion of the site, at key locations. All are reflective of local vernacular.
- 3.5.8 Implementation of all external walling and roofing materials will be secured via condition.
- 3.5.9 Pockets of public open space feature across the site with footpath links providing permeability through and beyond the site. A tree lined 'green finger' of open space assists in breaking up the eastern portion of the built development, connecting to a footpath link to the south of Potters Plantation. Open space also breaks up the central and western portions of the built development, as a north to south 'greenway', maintaining the Public Right of Way (PRoW) / Witton Weavers Way which continues beyond, in a northerly direction.
- 3.5.10 In response to the topography of the site, drainage attenuation basins feature to the south of a section of the central portion, adjacent to Potters Plantation and to the south west corner of the western portion.
- 3.5.11 Appropriately robust brick and reconstituted stone boundary treatments are included at key points within and on the fringe of the built development, adjacent to the sensitive public realm. Existing stone walls will be retained

and made good, where necessary. Close boarded timber fences will generally delineate property boundaries to the side and rear. Implementation of the boundary treatments and submission of details confirming incorporation of Hedgehog passes (as part of a Biodiversity Enhancement Plan to also include provision of Bird and bat boxes) shall be secured via condition.

3.5.12 The site includes a 28 hectare expanse of open space to the south of the built development which includes an engineered mound towards the southern end formed from remediated materials. The mound serves as a 'viewing platform'.

3.5.13 The appearance of the development is found to be in accordance with Policies 9, 10 and 11 of The Local Plan Part 2, and The Framework.

3.5.14 Landscaping

Full soft landscaping details, including planting species and densities, have been submitted the application.

3.5.15 Existing trees are to be retained where possible. Those that are to be removed are limited to two single specimens and seven small groups. None are protected by Preservation Order and all are required to be removed to either facilitate building or in the interests of arboricultural good practise, due to declining health. The protected Potters Plantation will be unaffected, as confirmed by the submitted Tree Survey / Tree Removal Plan. All retained trees will be appropriately protected during construction phase. Retained perimeter trees and hedgerows will be supplemented with new native planting to create natural landscape corridors, offering ecological as well as visual benefit.

3.5.16 Feature trees will be used to create focal points within the development and offer seasonal interest. Internal to the site, a combination of street trees with fastigate (columnar evergreens) form and flowering ornamental trees along with a range of hedgerows will strengthen the visual aesthetic of the street scene.

3.5.17 Landscaping is considered to appropriately integrate with the existing natural land form. Pockets of green public open space / green corridors feature across the site at suitable key locations, effecting the break-up of the built development into defined parcels. These corridors serve as a visual 'draw' towards Potters Plantation and the open space beyond. Tree lined streets, including grass verges, feature along sections of the main collector road. Trees are also included with a significant proportion of front gardens.

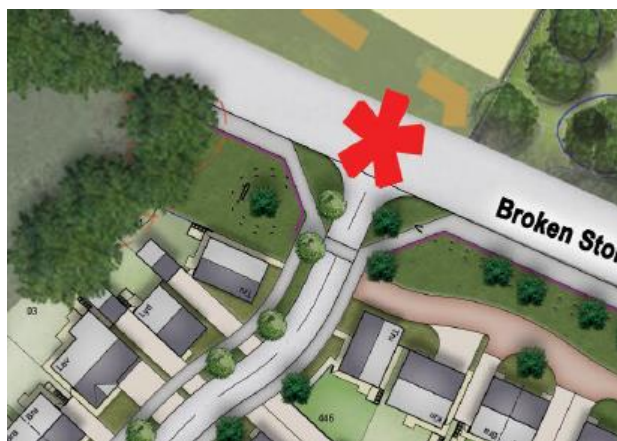
3.5.18 Surface water management areas are also proposed, in the form of drainage attenuation basins, which, as well as an engineered drainage solution, will assist place making and serve to enhance the site ecological potential. Management of surface water during construction phase will be secured via condition.

3.5.19 The Site benefits from features such as existing field boundary vegetation, Witton Weaver's Way long distance recreational route, Potters Plantation and a varied topography.

3.5.20 Witton Weavers Way cuts through the Site close to Fowler Fold Farm and links users from Broken Stone Road to the wider countryside south of the M65 motorway. The proposals have sought to minimise vehicle crossings across Witton Weavers Way, whilst creating an attractive section of the route and desirable setting for future residents. A convivial space within meadow grassland will offer opportunities for social interaction.

3.5.21 The key areas of open space within the developable area are defined and illustrated as follows (Design Justification Statement (mpsl planning & design, Sept 2021):

- Entrance - The arrival space, west of the site access, will include a combination of meadow seeding, native tree planting and seasonal bulbs around a feature oak tree, area of hardstanding, and wooden bench;



- Public Open Space – The area to the south of Fowler Fold features self-binding gravel with setts to the edge and wooden benches surround a feature oak. The space itself is surrounded by various elements to encourage informal play, such as earth mounds, boulders and logs (salvaged from the site where possible). Beyond this, mown paths are illustrated within a seeded meadow as anticipated desire lines which will contribute to sustainable movement and enhanced connectivity.



- Green corridors are created across the site, adjacent to Brokenstone Road and continuing along the eastern and southern edge of the built development, connecting to Potters Farm; along the north western boundary adjacent to Brokenstone Road; a continuation of the public open space north of Stockclough Brook; and green fingers connecting development parcels with Potters Plantation and the wider area.



- Ensuring permeability between the built development and new open space is a key feature. A network of new paths will promote walks through this expansive park of grassland. A viewing platform is created in the form of a landscaped earth bund.



3.5.22 Dwellings are set within plots featuring front gardens complimented by a mix of native and ornamental shrubs. Rear gardens will be turfed, aside from areas reserved for refuse storage and patios.

3.5.23 Emphasis that the revised Framework (July 2021) applies to tree planting, in the context of design and bio-diversity enhancement, should be acknowledged. The scope of planting proposed is considered to appropriately respond to the Frameworks requirements.

3.5.24 The Council's Arboricultural consultee is supportive of the landscape proposals, in acknowledgement of a good mix of native trees, hedges and shrubs with some ornamental species suitable for residential development. Implementation will be secured via condition, as will submission of a future Management and Maintenance Strategy.

3.5.25 Planting also supports a significant ecological enhancement of the site, affording opportunities for increased habitat, including that of the invertebrate population, and improved foraging opportunities for bats and birds.

3.5.26 Landscaping of the development is found to be in accordance with Policies 9, 11 and 40 of The Local Plan Part 2, and The Framework.

3.5.27 Layout

Primary vehicle / pedestrian access is proposed to the southern side of Broken Stone Road, in the form of two access junctions. The principle of the access arrangements was established at outline stage. The eastern access position is, however, slightly different to that approved under the outline permission, having been relocated to the west to allow outward facing development adjacent to Brokenstone Road. An emergency access is also

proposed from Stockclough Lane, following a technical review of the site, and dialogue with the Council's Highways consultee. A new 'private' access will be created to and cater for residents of Potters Farm, to the south. Development along Broken Stone Road is set back behind a landscape corridor which connects with public space to the northern corner. A new 2m wide footpath will be provided along the length of the site boundary, defined by a new stone wall.

3.5.28 Existing vegetation is retained to peripheral edges, which will be integrated into areas of open space and green corridors. As previously noted, open space includes an approximate 28 hectare expanse to the south of the built development.

3.5.29 A well-defined street hierarchy is proposed, aiding permeability and legibility. Traffic calming measures in the form of contoured street patterns and build outs are also included. These measures also add to street character which is further established by proportionate and well positioned frontage planting.

3.5.30 The primary vehicular route through the site is 5.5m in width and is designed to be easily distinguishable from other routes. It features robust road edges and vehicle crossovers to private drives. Strong structural landscaping and shrub planting provide an attractive route. The secondary routes are 4.8m width, with a series of narrower private, unadoptable, drives serving up to 6 properties. Carriageway widths are appropriate in defining a transition from the primary road network route through to the smaller tertiary routes.

3.5.31 The overall highway proposal provides for a legible and efficient street network.

3.5.32 The existing PRow's are retained in their current alignment and incorporated into the above noted strategic green corridor.

3.5.33 The site is well served by pedestrian and cycle links within and to destinations beyond, including connections to Witton Weavers Way and public open space to the south of the site.

3.5.34 In-curtilage parking is provided in the form of driveways and garages. The overwhelming majority of plots benefit from the benchmark standards, as set out below. A very modest shortfall in driveway dimensions and integral garages is, however, proposed to some plots. All detached garages are the requisite dimension. Overall, given the benefits arising from the development, and having regard to The Framework's presumption in favour of sustainable development, parking provision is considered to be acceptable.

- 2 spaces for a 2/3 bed;
- 3 spaces for a 4+ bed;
- Driveway dimensions 5.5m x 2.4m per car space; and
- Garage dimensions 3m x 6m per car space.

3.5.35 The majority of in-curtilage parking is provided to the side of dwellings, thereby avoiding unwarranted hard surface / car dominated frontages and affording opportunity for additional green space.

3.5.36 Support for the layout is offered by the Council's Highways consultees, following a detailed review of the submission, subject to conditions attached to the outline permission and submission of details pertaining to highway retaining structures secured via an additional condition.

3.5.37 Development is outward facing to peripheral edges (with the exception of the northern boundary), taking advantage of the attractive landscape features. Properties are orientated to provide active frontages to all streetscapes. Dwellings which are located on corner plots, at street intersections, are to be articulated to define the corner and provide active interfaces on both sides.

3.5.38 Interface distances (between proposed dwellings) is broadly compliant with the following adopted standards:

- 21m between facing habitable room windows;
- 13.5m between habitable room windows and non-habitable room windows / blank elevations;
- For each additional storey above 2 storeys or where land levels create an equivalent difference, an additional 3m separation will be required.

3.5.39 Interface distances between proposed and peripheral existing dwellings is in accordance with the adopted standards.

3.5.40 Housing mix, as set out above, is appropriate and in accordance with the Council's strategic requirements.

3.5.41 A sub-surface Pumping Station is proposed adjacent to Plot 144. In response to a Public Protection query concerning noise generation, it is confirmed pumps run submerged in water below ground and that they are to be located a minimum 15m from the nearest (proposed) dwelling. No additional noise assessment is required in this regard.

3.5.42 The layout of the development is found to be in accordance with Policies 8, 9, 10, 11, 18 and 40 of The Local Plan Part 2, and The Framework.

3.5.43 Scale

Proposed dwellings are a mix of 2 and 2.5 storey 3, 4 & 5 bed detached, semi-detached and town / mews (as set out in the above schedule). All are proportionate to their plot sizes and the serving street network.

3.5.44 The range of house types provide for a varied yet proportionate street scape, in response to local vernacular and the site constraints. Illustrative street scenes are shown below follows (Design Justification Statement (mpsl planning & design, Sept 2021):

Illustrative Street Scene - Fronting Broken Stone Road



Illustrative Street Scene - Fronting internal Street



Illustrative Street Scene - Fronting internal Street



3.5.45 As previously recognised, proportionate and well-designed boundary treatments feature across the site.

3.5.46 The overall scale of the proposal is considered to respond well to existing peripheral housing and to the rural fringe, thereby ensuring a sympathetic and proportionate development. Furthermore, extensive planting across the site will help soften and aid assimilation into the surroundings.

3.5.47 The scale of the development is found to be in accordance with Policies 8, 9, 10, 11 and 40 of The Local Plan Part 2, and The Framework.

3.5.48 Summary

This report assesses the Reserved Matters planning application for 'Land at Broken Stone Road, Blackburn. In considering the proposal, all relevant material considerations relating to this application have been taken into account to inform a balanced recommendation that is considered to demonstrate compliance with the Local Development Plan, and The Framework, in support of the Council's strategic growth objectives.

3.5.49 To re-iterate, this assessment has been undertaken in the context of the residential development of the site and access having previously been established by virtue of the outline planning permission.

3.5.50 Other Matters

Members are advised that remediation of the site was subject to the grant of full planning permission under the hybrid application. Remediation has lawfully commenced and shall be in strict accordance with an approved remediation strategy, including a detailed Materials Management Plan, overseen by the Environment Agency.

4.0 RECOMMENDATION

4.1 Approve:

Delegated authority is given to the Strategic Director of Place to approve planning permission, subject to the following conditions:

1. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposal received 22nd September 2021 and with the following drawings numbered: *to be added*

House Types: *to be added*

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

2. The exterior of the dwellings hereby approved shall be constructed in strict accordance with the Materials Layout drawing numbered 19090 07 Rev A and *materials product details to be added.*

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

3. The development hereby approved shall be implemented in strict accordance with the boundary treatments specified in elevation drawing numbered: 19090 06 and layout drawing numbered: 19090 05 Rev B.

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

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

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

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

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

6. The development shall be carried out in strict accordance with the submitted Tree Constraints Plan, numbered: UG_911_ARB_TCP_01, the Tree Survey dated 1/03/2021 & 05/03/2021, the Tree Works Schedule drawing numbered: UG_911_ARB_TWS_01, the Tree Removal Plan numbered: UG_911_ARB_TRP_01 and the Tree Protection Plan numbered: UG_911_ARB_TPP_01. Specified tree protection measures shall be adhered to throughout the period of construction.

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

7. The development hereby approved shall be implemented in strict accordance with the Plot Landscape Detail drawings received *to be added* and numbered: P20-3528_001 Rev ?, P20-3528_002 Rev ?, P20-3528_003 Rev ?, P20-3528_004 Rev ?, P20-3528_005 Rev ?, P20-3528_006 Rev ?, P20-3528_007 Rev ? and P20-3528_008 Rev ?. Planting shall be carried out during the first available planting season following completion of the works, and thereafter retained. Trees and shrubs dying or becoming diseased, removed, or being seriously damaged within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted during the first available planting season after the loss of the trees and / or shrubs.

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

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

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

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

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

10. Prior to commencement of any sub-structure works, detailed specification of highway retaining structures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved detail.

REASON: To ensure the safe construction of highway infrastructure, in accordance with Policies 8 and 10 of the Blackburn with Darwen Borough Local Plan Part 2.

11. Prior to commencement of any sub-structure works, and notwithstanding the submitted details, a Biodiversity Enhancement Plan for the built development area, shall to be submitted to an approved in writing by the Local Planning Authority. The plan shall include the following measures:

- Hedgehog passes (130 x 130mm); and
- bird and bat boxes within the development.

The development shall be carried out in strict accordance with the approved detail.

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

4.1.2 Section 106 obligations

Members are advised that the outline permission was subject to the applicant entering into an agreement under S106 of the Town & Country Planning Act 1990, requiring the following financial contribution:

- £350,000 as a contribution towards Green Infrastructure. This will be spent on Green Infrastructure / Public Open Space and associated community facilities within the West Blackburn area/rural areas;
- £750,000 as a contribution towards the provision of affordable housing in the borough;
- £26,000 as a contribution towards road safety improvements on Stockclough Lane; and
- £2,480,000 as a contribution towards additional primary school places in West Blackburn.

4.1.3 Members are further advised of the following conditions attached to the hybrid permission which address outstanding matters and which are required to be complied with and, in some cases, formally discharged at the appropriate time:

1. Application for approval of all reserved matters must be made not later than the expiration of three years beginning with the date of this permission. The development hereby permitted shall be begun not later than the expiration of two years from the date of the approval of the last of the reserved matters to be approved.

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

2. Details of the following matters (subsequently referred to as the reserved matters) shall be submitted to and be approved in writing by the Local Planning Authority before the commencement of any works:-

- a) Appearance.
- b) Landscaping.
- c) Layout.
- d) Scale.

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

3. At the same time or prior to the submission of the First Reserved Matters application for the development hereby permitted, a Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall include details of the maximum number of dwellings and other development to be implemented within each phase of the development. The development shall only be implemented in accordance with the approved Phasing Plan. The Phasing Plan may be amended from time to time with the written approval of the Local Planning Authority provided that the proposed phasing is likely to give rise to any significant environmental effects which have not been assessed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 then such amended Phasing Plan shall be accompanied by an Environmental Statement prepared in accordance with the said 2017 Regulations.]

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

4. No development, except remediation, shall occur until a scheme detailing the following offsite highway works has been submitted to and approved in writing by the Local Planning Authority;

- Highway improvements to the junction off Livesey Branch Road and Preston Old Road.

The cost of the approved scheme shall be borne entirely by the developer. The approved scheme shall be implemented fully in accordance with a phasing and construction management plan to be agreed in writing by the Local Planning Authority.

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

5. Notwithstanding the submitted details, no development, other than remediation, shall commence until a scheme detailing the design of the Broken Stone Road and Stockclough Lane vehicular access points, including swept path analysis, has been submitted to and approved in writing by the Local Planning Authority. The development shall be in accordance with the approved details shown in the Broken Stone TA: November 2018.

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

6. No development, other than remediation, shall commence until a scheme detailing the provision of a footway and street lighting to the Broken Stone Road frontage has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to first occupation of the development and thereafter retained.

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

7. The Stockclough Lane site access, as agreed by condition 5 of this planning approval, shall provide vehicular access to a maximum of 38 dwellings within the application site.

REASON: Given the restricted nature of Stockclough Lane, the restriction is necessary to safeguard the safe, efficient and convenient movement of all highway users, in accordance with the requirements of Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

8. Prior to commencement of a phase of the development hereby approved, a Construction Method Statement for that phase shall be submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- I) the parking of vehicles of site operatives and visitors
- II) loading and unloading of plant and materials
- III) storage of plant and materials used in constructing the development
- IV) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- V) wheel washing facilities
- VI) measures to control the emission of dust and dirt during construction
- VII) a scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: In order to safeguard the safe, efficient and convenient movement of all highway users, and to safeguard the amenity of adjacent uses and the locality generally, in accordance with Policies 8 and 10 of the Blackburn with Darwen Borough Local Plan Part 2.

9. Prior to the occupation of any phase of the development hereby approved, details of the proposed arrangements for future management and maintenance of the proposed streets within that phase shall be submitted to and approved by the Local Planning Authority. The streets in that phase shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

REASON: To ensure that the estate streets serving the development are maintained to an acceptable standard in the interest of highway safety, in accordance with the requirements of Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

10. Prior to the construction of any of the streets referred to in condition 9 of this planning approval, full engineering, drainage, street lighting and constructional details of the streets for that phase shall be submitted to and approved in writing by the Local Planning Authority.

The development of that phase shall, thereafter, be constructed in accordance with the approved details.

REASON: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with the requirements of Policies 8, 9 and 10 of the Blackburn with Darwen Borough Local Plan Part 2.

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

REASON: To manage the risk of flooding and pollution of water resources, in accordance with the requirements of Policy 9 of the Blackburn with Darwen Local Plan Part 2.

12. Prior to the commencement of any phase of the development, other than remediation, a surface water drainage scheme for that phase, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme for that phase must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

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

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

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a residents' management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

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

REASON: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development, in accordance with the requirements of Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

14. Heavy Goods Vehicles associated with the construction of the development hereby approved shall only access the site via the Broken Stone Road vehicular access points and at no time via the Stockclough Lane access.

REASON: In order to safeguard road safety and the efficient convenient movement of all highway users given the restricted width of Stockclough Lane and to safeguard the amenity of adjacent residential and commercial uses in that locality, in accordance with the requirements of Policies 8 and 10 of the Blackburn with Darwen Local Plan Part 2.

15. Bat surveys shall be undertaken and submitted to the Local Planning Authority for approval prior to the removal of those trees identified within section 6.3.3.2 of the Capita 'Ecological Appraisal and Bat Transect Survey Report: August 2018' received 4th December 2018. The development shall be carried out in accordance with any recommendations or requirements set out in the approved bat surveys.

REASON: To safeguard protected species and biodiversity interests generally, in accordance with the requirements of Policy 9 of the Blackburn with Darwen Local Plan Part 2.

16. Prior to commencement of development further HSI or eDNA great crested newt survey, informed by the Capita Ecological Appraisal Report: August 2018, shall be undertaken and the findings submitted to the Local

Planning Authority for approval. The development thereafter shall be in accordance with the agreed details.

REASON: To safeguard protected species and bio-diversity interests generally, in accordance with the requirements of Policy 9 of the Blackburn with Darwen Local Plan Part 2.

17. No vegetation removal shall occur during the bird nesting season (March to August) unless the absence of bird nests has been established by a suitably qualified ecologist.

REASON: In the interests of biodiversity, in accordance with the requirements of Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

18. No development, other than remediation, shall occur until an Ecology and Landscape plan has been submitted to and approved in writing by the Local Planning Authority. The plan, as a minimum, shall take in to account the following issues during the construction phase and future occupation of the site, with reference to the findings of the Ecological Appraisal and Bat Transect Survey Report (August 2018);

- Invasive species survey and mitigation plan
- The results of the additional ecology surveys required by conditions 15 and 16 of this permission;
- Proposals for any further ecological surveys that are thought to be necessary;
- The creation of new habitats (i.e. new ponds);
- The retention, protection and enhancement of habitats that are of biodiversity value (i.e. deciduous woodlands, watercourses and ponds);
- The creation of landscape corridors so as to link habitat within and outside the site especially for commuting and foraging bats;
- Any Reasonable Avoidance Measures Method Statements (RAMMs) that are required (especially for protected species issues);
- The protection of species including common amphibian species, hedgehogs and small mammals;
- The design of lighting to minimise light spill on ecological resources. All exterior lighting should follow the guidance of the Bat Conservation Trust. Current (June 2014) at <http://www.bats.org.uk/>; and
- The prevention of pollution.

REASON: To safeguard protected species and bio-diversity interests generally, in accordance with the requirements of Policy 9 of the Blackburn with Darwen Local Plan Part 2.

19. Protective fencing shall be installed around all trees being retained within each phase of the application site, in accordance with British Standard 5837: Guide for trees in relation to construction, as detailed on Amenity Tree Care Tree Constraints Plan (ref: TR-01-Sheet 1V1) . This fencing should be installed prior to the commencement of any building works, ground works,

demolition works or storage of any machinery, equipment or materials on site on that particular phase. This fencing shall remain intact and in place until all works are completed on the relevant phase of the site. No soil levels should be altered within the perimeter of this fence and no building materials or waste products should be stored inside the fence line.

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

20. Prior to commencement of any phase of the development hereby approved a scheme employing the best practicable means for the suppression of dust during the period of demolition/construction of that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved measures in the scheme shall be employed throughout this period of development.

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

21. Prior to the construction of any plots within 25m of Broken Stone Road, a scheme detailing measures for noise control shall be submitted to and approved in writing by the Local Planning Authority. The development shall be in accordance with the approved details.

REASON: To ensure the development provides a satisfactory level of amenity for future occupants, in accordance with the requirements of Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

22. No construction work shall begin on site until the extent of ground gas impact has been delineated and agreed with the Local Authority, a comprehensive gas risk assessment has been agreed with the Local Authority, and a gas remedial options appraisal has been presented for agreement with the Local Authority based on current best practice and guidance. Residential buildings should not be built on CS4 or higher sites unless the type of construction or site circumstances allow additional levels of protection to be incorporated, e.g. high performance ventilation or pathway intervention measures, and an associated sustainable system of management of maintenance of the gas control system, e.g. in institutional and/or fully serviced contractual situations. For residential dwellings, management and maintenance will only be acceptable where pathway intervention measures (e.g. venting trenches) are beyond the extent of the building(s), on or close to the boundary of the property in a position where access can be guaranteed throughout the lifetime of the development (BS8485:2015 + A1:2019).

REASON: To ensure that all reasonable steps have been taken to identify contamination at the site in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Local Plan Part 2.

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

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

24. Prior to first occupation, each dwelling shall be equipped with an external electronic plug socket.

REASON: To facilitate electronic vehicle charging and to mitigate air quality impacts arising from the development, in accordance with the requirements of Policy 36 of the Blackburn with Darwen Local Plan Part 2.

25. Any gas fired domestic heating boilers within any dwellings shall not emit more than 40mg NO_x/kWh.

REASON: To mitigate air quality impacts arising from the development, in accordance with the requirements of Policy 36 of the Blackburn with Darwen Local Plan Part 2.

26. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a phased programme of archaeological investigation, recording and analysis for that phase. This must be carried out in accordance with a written scheme of investigation for that phase, which shall first have been submitted to and agreed in writing by the Local Planning Authority. All archaeological works should be undertaken by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance of the Chartered Institute for Archaeologists. The development shall be carried out in accordance with these agreed details.

REASON: To ensure and safeguard the investigation of matters of archaeological or historical importance associated with the development, in accordance with the requirements of Policy 39 of the Blackburn with Darwen Local Plan Part 2.

27. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the details submitted 4th December 2018 and the following amended or additional information;

- Proposed Site Access off Stockclough Lane: CS/094118-CAP-HGN-ZZ-SK-P-003_rev P01, received 24th April 2019
- Capita Technical Note 003 – Broken Stone Road, Response to HE comments.

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

5.0 PLANNING HISTORY

5.1 The following planning applications relate to the site ;

10/06/0855 - Outline Application for 120 static lodges, creation of 5 lakes and ancillary infrastructure (Withdrawn)

10/07/1149 – Outline Application for 120 static lodges, creation of 5 lakes and ancillary infrastructure (Refused and Dismissed on Appeal)

10/09/0569 - Outline Application for 94 static holiday lodges, creation of 3 lakes and ancillary infrastructure (Approved)

10/10/0828 - Reserved Matters Application pursuant to outline approval 10/09/0569 to address appearance, scale and landscaping (Approved)

10/12/0139 - Extension of Time application pursuant to outline approval 10/09/0569 (Approved)

6.0 CONSULTATIONS

6.1 Public Protection

Comment: Previous Env. Protection Consultation Advice

- **10/18/1116** – I requested a pre-determination residential amenity impact assessment as follows, in respect of Fowler Fold & Lower Whitehalgh Farms:

Impacts of Existing Farming Uses

Predetermination - Residential Amenity Impact Assessment

An assessment shall be submitted that determines the likely impacts of the adjacent farm activities upon future residents of the development. Where appropriate, the assessment must identify mitigating measures to alleviate those impacts. Reference should be made to the National Planning Policy Framework and Noise Policy Statement for England. All potential impacts must be assessed including noise, flood light and odour.

The applicant (or consultant appointed by the Applicant) should contact Andy White (tel: 01254 267634) to discuss the required assessment detail.

Reason: To ensure an acceptable standard of residential amenity.

Informative:

Dwelling Ventilation

It should be noted that any proposed dwelling(s) ventilation scheme(s) MUST provide adequate thermal comfort for residents.

- I understand that Planning Management Services decided not to require the above requested assessment.
 - Planning permission was granted for this development with condition(s) attached in respect of residential amenity without any further consultation with me.
 - None of the imposed conditions addressed residential amenity concerns arising from the premises of Fowler Fold nor Lower Whitehalgh Farms.
 - I understand that, other than recent changes of use (post 10/18/1116 DN), I cannot request any further residential amenity assessment in respect of the current reserved matters application (10/21/1083). Please let me know if this position changes.
- **Recent change of use at Lower Whitehalgh Farm**
 - A doggy day care business 'Just Pawing Around' opened at the former Whitehalgh Farm premises during 2020.
 - I recently visited the business and concluded that a predetermination residential noise amenity impact assessment is required, as follows:

Predetermination

With reference to the above application, I will require the following additional information before I can make my recommendations.

Predetermination - Residential Noise Amenity Impact Assessment

An assessment shall be submitted that determines the likely impacts of the 'Just Pawing Around' doggy day care business, at the former Lower Whitehalgh Farm, upon future residents of the development. Where appropriate, the assessment must identify mitigating measures to alleviate those impacts. Reference should be made to the National Planning Policy Framework and Noise Policy Statement for England. All potential impacts must be assessed.

The applicant (or consultant appointed by the Applicant) should contact Andy White (tel: 01254 585585) to discuss the required assessment detail.

Reason: To ensure an acceptable standard of residential amenity.

Members are advised that assessment of this application is limited to the stated *Reserved Matters*. Amenity issues outside the scope of the reserved matters have been accounted for during assessment of the hybrid / outline application, either during the course of the assessment or secured via conditions attached to the outline permission.

Predetermination of potential noise impacts arising from the doggy day care business is considered unreasonable, given that the outline permission (for housing) was granted prior to the grant of planning permission for the doggy day care use. Notwithstanding this position, a minimum separation of 60m is proposed between houses and the doggy day care, which is considered sufficient to guard against any significant noise disturbance towards future residents of the development. Moreover, the opportunity for any future noise

nuisance complaints to be investigated is provided by statutory noise nuisance powers afforded by the Environmental Protection Act 1990.

6.2 Drainage (BwD – Lead Local Flood Authority)

No objection.

6.3 BwD Arboricultural Officer

I have no objections to the proposals.

The Arb information submitted is all present and in accordance with the required BS 5837. The Tree Protective Fencing Plan is correct and enforceable.

The landscaping details submitted are suitable for approval and show a good mix of native trees, hedges and shrubs with some ornamental species suitable for residential development such as this. The maintenance and management details are all present as is the schedule and plant specification.

6.4 Environment Agency

Environment Agency position

We have no objection to the reserved matters application as proposed.

Contaminated Land – Advice to LPA/applicant

In our response to the Outline application, we requested our standard four-part planning condition in relation to the submission of a satisfactory desk study, site investigation, remediation strategy and subsequent validation report. Our recommended condition was not included on the subsequent Decision Notice approving the application, however Condition 23 does require the submission of a verification report to confirm that the site has been remediated in accordance with the approved remediation strategy.

Prior to the determination of the Outline approval, we were not consulted on a remediation strategy for this site and there is no reference to an approved strategy on the Council website for application 10/18/116, nor is it identified on the Decision Notice. However, we did receive a copy of the following report directly from the applicant's consultant:-

- Broken Stone Road Remediation Statement and Costings by Envirotec (Referenced: ESG/BSR/RSC; Dated: 19 July 2019)

We reviewed this statement in relation to the risk to controlled waters and we have agreed the strategy with the consultant. It is assumed that this is the strategy used in the remediation activities that are taking place on site and that it will be this strategy against which the future discharge of Condition 23 will be assessed. It would however be helpful if this could be confirmed as part of the current application.

Importation of Material – Advice to applicant

The remediation of the site will require the importation of materials and may require a permit and we have the following advice for the applicant:-

If excavated materials are to be re-used on-site, the applicant will need to ensure they comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...' in order for the material not to be considered as waste. Alternatively, the applicant will need to re-use the excavated material in accordance with the CL:AIRE Definition of Waste Code of Practice. Meeting these criteria will mean waste permitting requirements do not apply.

Where the material is waste, they will be required to obtain the appropriate waste permit or exemption from us. In addition any treatment of waste on site will require a permit.

A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery as set out in Article 3(15) of the WFD is; any operation, the principal result of which, is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.

Members are advised that site wide remediation is considered via condition 23 attached to the outline permission.

6.5 United Utilities

With reference to the above planning application, United Utilities wishes to draw attention to the following points.

It should be noted that we have previously commented on the Outline Application (Planning Ref: 10/18/1116) to which the above application relates. Our previous response (Our Ref: DC/18/5284) is available from the Local Planning Authority.

Drainage

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

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

Further information regarding Developer Services and Planning, can be found on our website at <http://www.unitedutilities.com/builders-developers.aspx>.

REQUEST FOR ADDITIONAL INFORMATION PRIOR TO DETERMINATION

We would be grateful if the applicant can submit a plan outlining the proposed levels (including finished floor levels and ground levels) shown in metres above Ordnance Datum (mAOD). We would also ask that the applicant provides an indicative foul & surface water drainage strategy including points of discharge, discharge rates, methods of attenuation incorporating SuDS where possible as well as cover and invert levels to mAOD. We request

that this information is submitted for our review and comment prior to the determination of this application. On receipt of this information we will be able to provide further comment.

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

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

Management and Maintenance of Sustainable Drainage Systems

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

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition.

Members are advised that submission of a foul and surface water drainage strategy is secured via condition attached to the outline permission. Moreover, the Lead Local Flood Authority offer no objection to this reserved matters application, on the understanding that foul and surface water drainage is to be managed via this condition. The pre-determination request for additional information is not, therefore, considered necessary in this instance.

Submission of a drainage management and maintenance regime for the lifetime of the development, will be secured via an additional condition attached a RM permission.

6.6 GMEU Ecology

GMEU did not comment on the original hybrid application but I have considered the matters identified by Capita in their consultation response (10.12.2018 to 10/18/1116). GMEU recognise that this is a Reserved Matters application and as with the Capita response, there are no overriding substantive reasons to alter Capita's initial assessment.

I could not locate some documents within the on line web site, but this may be my oversight. However, if these documents have yet to be supplied, I have noted where they may be required in advance of the determination or via a condition.

I have the following comments to make: -

Features of identified Biodiversity value

- The original reports (Capita 2018) identified a number of features within the application site which had value for biodiversity or represented a constraint: -

- Woodland (Potter’s Plantation) along Stockclough Brook as a Priority Habitat (Section 42, NERC 2006 [Natural Environment and Rural Communities Act]), hedgerows important under the Hedgerow Regulations (1997)
- Stanworth Valley Woods Biological Heritage Site (BHS 62SE02) at the western end of the site.
- Trees of low, moderate and high potential for roosting bats (Habitats Regulations 2019) See comments below.
- Stockclough Brook and associated tributaries
- Invasive Non-Native Species (INNS – Schedule 9 Wildlife & Countryside Act 1981 and Environmental Protection Regulations 1992); Japanese knotweed (TN02) in two locations within the development footprint, Himalayan balsam (TN03 6 locations) and montbretia (TN01)
- Potential for ground nesting and other nesting bird species
- Potential for great crested newt – this matter has been dealt with via condition discharge 10/21/0813
- For ease of reference I have extracted from the original Ecological Assessment, the Phase 1 Habitat Plan, target note descriptions and table identifying the trees with bat roost potential.

Protection of features of Biodiversity value within the proposed layout of the submitted scheme

- I understand that the Council are due to meet on site the week commencing 8 November 2021) to discuss the site. The following provides GMEU’s input into any ongoing discussions: -
 - The original reports identified that features of biodiversity value should be retained within the proposal. I would advise that I have concerns about the proximity of parts of the layout (mpsl planning & design ‘Proposed Site Layout’ dwg 01 – 03, rev H) and or landform changes to these identified features: -
 - Proximity to Stockclough Brook at plots 187 – 192
 - Proximity of earthworks at section B-B of indicative site sections (mpsl planning & design dwg 09 rev -)
 - Proximity of road and built form to Potter’s Plantation at plots 270, 310, 315 – 331
 - Proximity and potential for the removal/tree surgery work to trees with bat roost potential. This will require a cross reference with the original ecological assessment (see extract attached) and the submitted tree survey. **Additional survey work will be required if any of these potential roost trees of moderate or high value are to be removed.** It is recommended that this is **clarified prior to approval** and that an agreed approach is provided.
 - Proximity of the western attenuation pond and the Biological Heritage Site and any realignment/improvements that might occur to Lower Whitehalgh Farm access track.
 - It is unclear on plan what is proposed at the brook crossing at the eastern end of the site. It would appear that the watercourse is culverted already where the PRoW crosses it. This matter should be **clarified** with the applicant. However, further increased lengths of culverting should be avoided if at all possible.
- The landscape proposals are not clear if the Important Hedgerows are to be retained. These hedgerows occur to the western end, northern boundary as the western end and of the site on the west side of Stockclough Lane (see extract of 2018 report). It would appear that there are landscape features proposed in some of these locations. This should be **clarified with the applicant** and it is recommended that these hedges are retained within the scheme.

- I was unable to locate a drainage scheme but I have concerns regarding what I assume are attenuation swales and their proximity to the Potter's Clough woodland (south of hammerhead at plot 232/226). I would also **seek clarification regarding the outfalls for the attenuation ponds/swales into Stockclough Brook** and any additional need to remove trees to accommodate drainage to a headwall into the brook.
- The original report indicates that a sensitive lighting scheme should be provided. GMEU recommend that this covers highways and footpaths (incl access onto PRoW if proposed) along with external domestic lighting. Particular attention should be paid to the features of biodiversity value as identified above. GMEU recommend that lighting schemes follow the Institute of Lighting Professionals Guidance (01/21 obtrusive lighting and 08/18 wildlife sensitive lighting). I would recommend that the scheme is secured via **condition** to be agreed and implemented prior to first occupation of the scheme or a completed phase.

Landscape scheme & Biodiversity Enhancement

- I am unclear if there is a landscape scheme submitted for the POS? It appears that permission is sought for the creation of the 28ha of Public Open Space? **If a landscape scheme for the POS has been submitted GMEU would welcome the opportunity to comment.** If this detail is not yet present I would wish to see detail of: -
- The footpath specifications particularly where the PRoW or other paths cross the brooks and other watercourses.
- Sufficient details if it is proposed to replant/reseed the existing grassland in the POS.
- Outline/full details for the management of the POS via a Landscape and Ecological Management Plan (LEMP). This can ultimately be dealt with via **condition**.
- Any planting proposals to compensate for the loss of trees and/or important hedgerows.
- Biodiversity Enhancement Plan for the residential development itself to include adjustment to the boundary treatment details (mpsl planning & design drg no 06 rev -) to include hedgehog passes (130 x 130mm). Specification and plan showing bird and bat boxes within the development. This can be ultimately be secured via **condition**.
- GMEU are willing to comment on the built forms landscape if the Council feel that is appropriate.

Construction Environmental Management Plan

- I understand that remediation works is currently suspended, but that this is a matter outside of the Local Authority's auspices. However, I would recommend in relation to the construction depending on the extent of the remedial works/earth moving that a CEMP should be secured via **condition**. This may variously need to include: -
- Construction surface water management procedures including sediment fencing/sediment trapping, temporary holding tanks and any dewatering/over-pumping arrangements that might be required.
- Method Statement to deal with the INNS (Japanese knotweed, Himalayan balsam). In relation to Japanese knotweed a specialist contractor should provide sufficient details along the lines of: -
 - Detailed mapping of the distribution of the plant across the site, updated from the 2018 surveys.
 - Suitable signage and protection from vehicle tracking and/or earth moving. This is usually 7m from above growing parts of the plant (see [research](#))
 - [Treatment programme](#) GMEU cannot recommend which method of treatment is most appropriate but we advise this may be on or more of the following –
 - Spraying over multiple seasons (3 – 5 years). An Environment Agency permit might be required to treat the plant adjacent to a watercourse

- Root/rhizome injection (3 years)
- Burying on site with suitable depth and geotextile root barrier membrane
- Removal and disposal at a licenced tip
- Biosecurity protocols for machinery and soil handling & storage
- Monitoring and retreatment programme for minimum of 5 years post site clearance
- If remediation works have already impacted areas which support Japanese knotweed (see TN02 locations on extracted plan), it is recommended that the Local Authority secure a monitoring and retreatment programme for a period of 5 years. The LPA in this case may wish to secure this under a separate **condition**.
- Details of temporary fencing and stand-off to protected trees plus root protection zone, important hedgerows and watercourses.
- If additional vegetation clearance is to go ahead measures to check for both ground nesting grassland birds and birds within scrub/woodland, undergrowth including bramble. Vegetation clearance should avoid the bird breeding season (March – August inclusive) unless it can be demonstrated, by a suitably qualified individual, that no breeding activity is present or named Ecological Clerk of Works (EcOW) has instituted an agreed protection methodology.

In **summary and conclusion**: -

- GMEU have concerns about the protection and retention of biodiversity features associated with the layout. We hope that the Local Authority may wish to incorporate those into their discussions with the applicant.
- The submission of a landscape scheme for the southern area of the 28ha of POS should be provided and reviewed
- Additional clarification is sought on a number of matters, some of which it is recommended will need to be resolved prior to determination
- A number of conditions are proposed which can be appended following submission of details/amendments.
- A Biodiversity Enhancement Plan and a Landscape Ecological Management Plan should be provided.

Members are advised that the applicant is reviewing outstanding Ecology matters, the outcome of which will be included in an Update Report.

6.7 The Coal Authority

The Coal Authority Response: **Material Consideration**

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth associated with thick coal seam outcrops.

Notwithstanding the above, and despite our consultation response letter dated 21 December 2018, the content of which recommended the imposition of a planning condition, it would appear that no condition relevant to coal mining legacy was ever imposed on the permission. Consequently, on the basis that this application is for the approval of matters reserved by

condition, none of which relate to coal mining legacy, the Coal Authority has **no objections** to this reserved matters submission. I

It is therefore assumed that issues relating to coal mining legacy were dealt with at the outline stage.

The Coal Authority Recommendation to the LPA

The Coal Authority raises **no objections** to this planning application.

In the interests of public safety, however, and in the event that matters relating to coal mining legacy were not addressed at the outline stage, the Coal Authority would recommend that, should planning permission be granted for this proposal, the following wording is included as an Informative Note within the Decision Notice:

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent Building Regulations application. Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at www.coal.gov.uk

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from the Coal Authority's Property Search Service at www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0845 762 6848. Further information is available on the Coal Authority website www.coal.gov.uk

6.8 Lancs Archaeology

The planning application states that works have already started in relation to the proposed remediation of the site. Condition 26 of the outline planning permission (10/18/1116) clearly states that:

"No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a phased programme of archaeological investigation, recording and analysis for that phase. This must be carried out in accordance with a written scheme of investigation for that phase, which shall first have been submitted to and agreed in

writing by the Local Planning Authority. All archaeological works should be undertaken by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance of the Chartered Institute for Archaeologists. The development shall be carried out in accordance with these agreed details."

We were recently consulted on a planning application (10/21/0813) to discharge condition 26, to which we advised that the condition be partly discharged (as an agreed programme was in place), but that full discharge should await the completion of all on-site archaeological investigations and their subsequent analysis, reporting and archiving.

The applicant's archaeological consultant, Pegasus, has today (03/11/2021) confirmed that although works have commenced they are currently removing modern rubbish, and have yet to reach a level across site where they might impact the old ground surface and have the potential to damage or destroy surviving features of archaeological interest.

Given the lack of consultation with the Historic Environment Team, there is some concern that the contractors currently on site may not be aware of the need for a programme of archaeological work to be undertaken as part of the remediation of the site (bund removal), and the limitations put on that work in the *Written Scheme of Investigation: Strip, Map and Sample* (Pegasus Group, July 2021). Other parts of the site are also to be the subject to an initial stage of archaeological investigation by means of the excavation of a number of archaeological trial trenches.

Consequently I would advise the Borough Council that the applicant be required to provide written confirmation that it is their intention to fully implement the methodology outlined in the submitted WSI as part of the remediation work, that their contractor is fully aware of the requirements of the WSI, and will be adhering to the requirements of both sections 4.8 and 4.9 of the WSI:

"upon the removal of the final layers, when approaching the original ground level, the machine carrying out the bund removal must be fitted with a toothless bucket and care must be taken to achieve the removal of the bund to ground level and no deeper."

"There must not be any excavation below ground level and "digging in" or scooping out the bottom levels of the bund will not be acceptable. The archaeologists on site will be present to monitor the removal of the final layers of the bunds to ensure that enough of the ground level is exposed to enable the mapping of any archaeological features exposed under the bunds."

This will therefore also require details of the archaeological organisation commissioned to undertake the works outlined in the WSI, as well as the date on which their attendance on site will commence.

The Borough Council may also wish to consider it prudent, for the avoidance of any doubt or confusion, to repeat the condition on any full planning permission that they are minded to grant.

Members are advised that the applicant's agent has provided written confirmation that it is their intention to fully implement the methodology outlined in the submitted WSI as part of the remediation work, that their

contractor is fully aware of the requirements of the WSI, and will be adhering to the requirements of both sections 4.8 and 4.9 of the WSI.

6.9 Lancashire Constabulary

No objection subject to Secured by Design Homes 2016' principles.

6.10 BwD Highways / PROW

PROW – I've had a look at this planning application and the statement says that the two footpaths running through the site are to remain in situ.

Footpath 3 Livesey to the North of the site seems to be ok however footpath 4 at the Southern side of the site doesn't quite follow the definitive line so this may require a small diversion, also looking at the plan footpath 3 doesn't appear to link with Stockclough lane. As the definitive statement says "from Stockclough lane to Broken stone road we need to ensure that it does connect with Stockclough Lane.

Whilst the work is being carried out for site preparation and construction, footpath 4 will require a temporary closure order, it may be possible to keep footpath 3 open throughout the duration of the works as long as the public may use the path safely. If there is any risk to the public then a temporary closure order will need to be in place on footpath 3 too prior to any work commencing.

Also any change of surface to the public rights of way will first need authorisation from the Highway Authority.

The submission details have been reviewed, and a site investigation has been undertaken.

The application received is for Approval of reserved matters for the appearance, landscaping, layout and scale pursuant to planning application 10/18/1116 'redevelopment of the site to include over 28ha of open space, paddocks and landscaping and up to 450 residential units (use class C3), along with any ancillary parking, amenity, and all other associated public, semi public and private realm, soft/hard landscaping, infrastructure and highway works, access and a new internal road network connecting with the existing road network.

Parking

The parking should be in accordance with adopted parking standards which set a requirement as follows:

- 2 spaces for a 2/3 bed and;
- 3 spaces for a 4+ bed

Each car parking space on the drive should measure 5.5m (in accordance with the adopted Residential Design Guide & adopted Parking Standards). Please ensure compliance, there are some instances, where this in my opinion falls short.

All garages should whether integral or detached be 3m x 6m. The garage details supplied by both developers, do accord with the councils standard sizes. This is welcomed.

Access/Layout

The scheme has been reviewed. The majority of the road and footways align with the council's perceived layout. We welcome the addition of tree lined street and the street character introduced to support place making.

The main roads into the site should be 5.5m wide and have two 2.0m footways either sides of the carriageway. The secondary roads appear to be 4.8m, this is acceptable. Some widening of the road on the bends to support larger vehicles traversing is necessary. Please consider Some further design observations, which can be changed at technical approval:

- The road serving plots 414-415 should have a footway on one side.
- The roads serving plots 87-100 should have a footway on one side
- All footways running through the open spaces, and connecting through to the adjoining and connectives sites, should be widened to incorporate cycles. We therefore advocate and request a combined 3m footway/cycleway, on all paths. There was on the initial plan, a path that ran around the edge parallel to 382 to 372, please request this be reintroduced.
- The footways connections to the witton weavers way and those connecting to the surrounding site to enhance wider movement should be 3m wide to accommodate footway and cycle ways.
- The crossover points where the highway meets witton weavers' way does not embrace the crossover point – or maintain a priority gateway for pedestrians. Further exploration of this is required. This can be carried out at technical approval stage.
- We would welcome some material change to enhance the character of the development, at key locations. This can be agreed at Technical Approval stage.
- No details of sightlines have been offered, although details of boundary treatment has been forthcoming. The information on the boundary treatment is however limited and does not cover the whole of the residential estate - this can be dealt with via condition

Through the application process, dialogue has been ongoing with regards to retaining structures supporting the highway (at the end of the Turning heads). No definitive method has been agreed, this will require further assessment and approval. Please condition.

Swept path for a 3 axle refuse vehicle has been provided, this is acceptable.

Transport Addendum

The report received has been reviewed, the report that was submitted at outline stage addressed the main issues and was deemed satisfactory. Some comments have been offered on the current document, but relate more to pedestrian and cycle connection, these have been captured in my assessment.

The only other outstanding matter relates to the works at the junction of Livesey Branch Road/Preston Old ...the following thoughts are offered by our Transport Consultant..

I note the s278 general arrangement drawing is included in the appendices although this does not appear to have been referenced within the text of the Transport Statement. Has the signalisation scheme for Livesey Branch Road / Preston Old Road been checked and agreed to confirm it is deliverable in this location?

The lane widths look quite narrow to me and I would have some concerns with how larger vehicles negotiate the junction. The swept paths are not shown on the drawing in the appendices to determine if a large vehicle can make a turn with the stop lines in the positions

shown. If the stop lines are pushed back the intervisibility splay requirements are unlikely to be achievable.

We would request this is added as a condition for further work to be undertaken.

OFF-SITE HIGHWAY WORKS

Two new access points are to be introduced out onto Brokenstone Road, this together with the widened new footways, and lighting to be carried out in conjunction with speed reductions and traffic calming measures (from the Junction of Horden Rake/Brokenstone Road through to Junction of Gib Lane/Brokenstone Road) are to be attached as a Grampian Condition.

The addition of two crossing points across Brokenstones stones Road is also to be conditioned, consideration to be given to horse crossing (toucan, with Pegasus).

Previous condition attached on the Outline Planning Application included the need for junction improvements to be carried out at Livesey Branch Road/ Preston Old Road. This (as reported above) needs to re-attached as a condition for off-site highway works. Some evidence has been provided within the Transport Statement, but delivery of works as outlined is still questionable as a full details analysis has not been undertaken and presented.

OTHER

Standard matters applicable to all housing scheme, please consider:

- Construction method statement will be required to be submitted for approval
- new and renewed footways surrounding the site, all costs to be Bourne entirely by the developer.
- Any structures supporting or retaining the highway would require formal approval, please condition
- street furniture affected by development should be removed and relocated where necessary at location to be agreed by highways officer - all costs to be borne by the developer
- any old entrances that are no longer required shut be permanently closed off and reinstated back to full footway
- **Please note:** Prior to the commencement of any works that affect or adjoin the adopted highway – contact is to be made with the local highway authority officer Simon Littler on Mob: 07766 5780

In principle, we would offer no objections subject to the above issues being addressed satisfactorily/conditioned accordingly

Please note: Prior to the commencement of any works that affect or adjoin the adopted highway – contact is to be made with the local highway authority officer Simon Littler on Mob: 07766 578007

Please attach standards conditions/Informatives: Highways 1, 2, 3, 5, 7, 8, 9, 90 10, 11, 13, 14, 15, and 17

6.11 Chorley Borough Council

No objection.

6.12 Livesey Parish Council

Brokenstone Road and Pleasington Lakes Transport plan

The transportation statement issued on Behalf of Taylor Wimpey and Barrett Homes covers the basic requirements of what is required to meet today's road use but fails to address certain issues that will arise in the near future.

According to the Office for national statistics, two car households now outweigh families with two children by just over two million. The number of cars and vans on the road in the UK as of 2020 was; 32,697,408, the past 25 years has seen an increase in vehicles of 42.5%. If vehicles continue to increase at the same rate, then by 2045 there will be some 45 million cars on the roads of the UK. (Department of Transport)

The average number of cars and vans per household in 2019 was 1.21 however, if London is excluded from the figures it rises to 1.3 per household. The Northwest has an average car and van ownership of 1.19 per household with only 22.3% of homes not having any vehicle access at all.

These figures are not entirely accurate, they work on ownership and not use in respect of commercial vehicles being taken home by employees and parked overnight outside of their properties. This may be beneficial to the employer but it throws the problem out onto our roads.

All of these are points to take in when designing a new estate or extending a village and herein lies the issue with Pleasington lakes. The transport plan which has been produced in support of a Reserved Matters application for the provision of 450 residential units on the site makes mention the development will consist of three, four and five bedroomed properties which is in line with BWD parking standards (point 2.2.9):

2-3 bedroomed houses- 2 car parking spaces per dwelling and 1 secure cycle space.
4+ bedroomed houses; 3 parking spaces per dwelling + 2 secure cycle spaces.

The transportation plan at no point mentions whether the proposed garages (point 2.2.10) will be in addition to the agreed car parking spaces or not. Likewise, whilst the report mentions the garage size will adhere to the accepted minimum standard size of 3.0 x 6.0m no mention is made of the agreed garage opening size. A minimum being 2.25m whilst 2.35m is a preferred garage doorway excluding the up and over garage doors that can take an additional 50mm from the width.

Whilst these may appear to be small points it is exactly these issues that will ensure garages are fit for purpose and used for the reason intended thus removing cars off the streets in the first instance. It will also allow for those who may take home a company van which invariably ends up being parked on the road causing obstructions for both emergency and service vehicles.

A further point is ingress and egress from the development. Whilst understandable that a council wish to make it far easier to cycle in the area, no account appears to have been taken of the fact that both entrances are up quite a steep hill off Brokenstone Road. Many people will therefore either;

- 1) push their potential cycles up the hill, potentially being at risk of being hit by an oncoming vehicle
- 2) Go through the intended emergency entrance off Stockclough Lane and then push up towards their property which, conjures up an interesting image.
- 3) Use the car, which is the most likely option.

This brings me to a final point that being public transport, there appears to be no provision for any form of public transport in any of the new estates surrounding the area therefore no way for those households who do not drive which, in the Northwest stands at 22.3%.

Whilst accepting of the fact that these dwellings are to be aimed towards the 'executive' market are we to assume then they all have access to vehicles? In which case the points above are to be considered and in households which are multi-generational there will be even more need for additional parking (without even allowing for any visitors to the dwellings) or are we to assume 22.3% of the population do not fit the criteria therefore this percentage is to be ignored?

In simple terms there is insufficient evidence to support car parking requirements and insufficient evidence to suggest driveways will be 6.0m or that garages will be fit for purpose. Further, there is little evidence beyond mention of secure cycle parking to give credibility to the line in the conclusion that;

'The proposed site layout connects with the approved off-site pedestrian and cycle provision in the vicinity of the application site.'

I have seen nothing in the plans covering both Pleasington Lakes, Brokenstone road (unless referring to the new 2m pathway intended for pedestrians) and no mention covering the extended plans towards Livesey Branch Road and Preston old road despite details given such as new double yellow lining within the carriageway to be done. I therefore have grave concerns over the viability for any form of secure cycle parking on any dwelling to be of any real use.

Consider the recently released Huncoat Garden village plan (<http://www.huncoatgardenvillage.co.uk/the-masterplan/>) under Hyndburns future development plans and we see a planned for schools, roads, shops, transport infrastructure and an attempt to get community involvement. It may consist of a larger development of 1504 properties but, when put against the whole of the existing and potential building taking place in Feniscowles it is comparable.

I therefore believe the council should re-visit their plans and advise both council and Parish council upon their future plans within this area.

Planning Application 10/21/1083, Land at Brokenstone Road Blackburn BB3 0LL

Livesey Parish council reiterate their concerns about the wholesale urbanisation of our green fields and loss of open space facilities in the area. We will eventually have a minimum of 8000 extra people living in the parish without adequate provision for improved highway connectivity. Yet again the support infrastructure has failed to be addressed, provision for local health and welfare facilities or nursery provision are not mentioned or recommendations made on how these will be provided for the wider area. This application is perceived to be bearing a disproportional amount of S106 contribution to make up for other sites in the area.

This planning application enables the council to overcome the issues they permitted with the uncontrolled dumping on the site over 10 years ago. The site is approximately 46 hectares with 16.4 hectares being designated for residential development at a density of about 27 dwellings per hectare. It is disappointing to see that yet again the Council intend to permit 36 - 2.5 story dwellings when there is adequate space to permit only 2 story dwellings and improve the general layout and setting of the development.

We have not commented on the general site layout or the provisions made for residents which the Planning process controls. The developer claims to be providing superior executive homes but these do not have adequate plot sizes to claim they are executive in style as described in the council draft housing provision guidelines published in 2013.

In the design justification statement para 5.9.1, the primary street through the site is a significant distance from the dwellings at the west of the site up to the first exit onto Brokenstone Road, it is largely uphill and is likely to cause traffic difficulties in snow and frosty weather. A West exit onto Stockclough Lane is considered essential for the benefit of the new residents rather than the inconvenient alternative route through the site.

Brokenstone Road

This is already a busy road and with the ongoing developments and possible further developments in years ahead in the area, it is essential that the road is of adequate width and drainage, lighting and footpaths both sides of the road to serve the developing resident communities. The proposed footpath within the site along part of Brokenstone Road is primarily of use for residents and not the general public on the highway. Adequate provision must also be made for walkers using this road and the PROW from the Story Homes sites which connect to this proposed development. Introducing a 30mph limit on the road will not slow traffic sufficiently to improve safety and adequate physical means to reduce speed will be essential. The 30 mph now on Bog Height Road has had little effect on traffic speed in the area as a speed survey will confirm. The restricted width and blind bends on the lower part of Brokenstone Road also need to be adequately remedied to make the road safe for the increased traffic flow and particularly the HGV's which will travel to this development and the later phases of Kingswood Homes site along Brokenstone Road.

Transport Statement

The proposal to install traffic lights and remodel the junction at the Fielden's Arms is a retrograde proposal and will result in tailbacks and delays for traffic to and from the Toll Bar. It is well remembered that until the introduction of this mini roundabout some 40+years ago, traffic at this junction built up with tailbacks of half a mile at peak morning and evening busy periods.

Tree Planting and woodland

As there has been significant loss of hedgerows and some trees in the wider area as a result of other developments it is recommended that the woodland buffer close to the motorway is reinforced with a mixture of trees and shrubs which will encourage and replace a variety of wildlife habitat following that destroyed by urbanisation of the wider area. A green corridor connection through to Cockridge Wood is desirable.

There is a significant amount of open space, woodland and proposed tree planting to the South of the developable site, can the Council confirm how these areas will be managed, will the open grassland be regularly cut to maintain it as a recreational area, will the woodland and tree planting be regularly checked and trees replaced if dead or dying.

The drainage strategy outlined in 10/18/1116 proposed a restricted discharge rate into Stockclough Lane to the equivalent of 151 dwellings, storing the rest in a wet well for over

70cubic meters. What has been resolved with UU particularly considering the other developments in the area which are already in progress? Resolution of the foul discharge is critical to this development and should be resolved **before** planning approval is granted and pumping to the Black Bull seems unrealistic.

Members are advised that the principle of housing led development of up to 450 homes was established at outline stage, as were transport impacts of the development.

The proposed layout is broadly in accordance with the Council's benchmarks standards for in-curtilage parking.

6.13 Public consultation has taken place, by means of 315 letters posted to the local community on 10th September 2021, display of site notices and publication of a press notice on 21st October 2021. In response, 8 objections were received and 1 general comment (see Summary of Representations).

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

8.0 DATE PREPARED: 5th January 2022.

9.0 SUMMARY OF REPRESENTATIONS

Objection – Mr & Mrs Moseley, 12 Horden View, Blackburn. Received – 18/10/2021

I am writing to object to the above mentioned planning application.

The reasons are as follows:

- 1) The extra traffic that this large estate will have on the very narrow road (Broken Stones Road) as this road is already over stretched by traffic at present (with traffic ie large wagons up and down at all hours from the new housing estate on Gib Lane)
 - 2) No mention of any extra schools being provided for ie infant, junior or secondary pupils to accommodate the extra volume of children this estate will have to cater for.
 - 3) No mention of a Community Centre as these seem to be vanishing from our town which once had a lot more than we have today.
 - 4) No mention of extra GP's Surgery/Medical Centre to accommodate the extra patients that are going to need medical services
 - 5) No local food shops mentioned as this is something that all of the people will require food
 - 6) The wild life which will be affected by the lorries back and forth at all times of the day which will result in loss of wildlife. We need to protect these creatures from over building as nobody seems to care about them.....
 - 7) The weather is a hazzard as a lot of water (from the rain) runs down Broken Stones Road, the rain has over the past several years diverted into Horden View, St Michaels Close and St Davids Close and has nowhere to go as the drains are all blocked by a lot of rubbish ie Autumn leaves and mud to name a few....
-

Objection – Marie Tomlinson, 2a Green Row, Darwen. Received – 18/10/2021

To whom it may concern

I absolutely disagree with this planning proposal.

How is that volume of additional traffic and population not leading to a safety issue. There are no walk ways or paving on broken stone road it's a deeply dangerous road for pedestrians already, having personally been hit by a vechical.

The build of the estate on Gig Lane is bad enough with the addition of the new estate to the bottom also currently being built ...with the resort lodge business too...the roads are narrow and pavement less ...it's absolutely ridiculous.

In the past 4 months we have had 3 power failings and our water is constantly being disrupted due to the increasing connections to the service, by the new builds.

The ridiculous mini round about serve no purpose and are a hindrance to the traffic.
Does Darwen require further high price, high end housing in this limited community. It's just all so short sightedover a thousand new builds within this tiny area. Someone is getting a bribe and sure.

Objection – Peter Eaves, 3a Green Row, Darwen. Received. – 01/11/2021

I'm writing to you to object to the planning application - 10/21/1083.

There are three main reasons for my objection:

1. Erosion of green belt - The land being considered for development is an area of green belt that consists of fields, woodland and a stream bed. Having walked a large part of the area in question I know that it's home to several deer, owls and bats. The loss of this land will be detrimental to the overall enjoyment and appearance of the area.
 2. Contaminated land - From conversations with various people in the area, the land has previously been used as a dump and therefore should be considered contaminated.
 3. Road infrastructure - This is the largest issue with the proposed development. Based on the number of properties being considered for the area I'd estimate that approx 1000 additional vehicles will be utilising the current roads. The main access road, Brokenstone Road, a narrow road, with no footpaths is not suitable to accommodate the extra volume of traffic that will be generated. This also goes for Heys lane which again cannot support the proposed additional traffic.
-

Objection – Pam Gedzielewski, 5 Green Row, Darwen. Received – 20/10/2021

I am writing in relation to the above reserved matters application for the erection of 450 residential units at land off Brokenstone Road, Blackburn BB3 0LL.

I live at 5 Green Row, off Heys Lane, Blackburn BB3 0LJ. My main concern about this application is the volume of traffic which will be created. I note that vehicle access to the site will be via two roads off Brokenstone Road. Brokenstone Road is a narrow, country road leading to other country roads in the area. There is currently another development on the north side of Brokenstone Road which, when completed, will significantly increase the volume of traffic using these country roads. I feel that a further development of so many houses will create unacceptable levels of traffic on unsuitable roads.

Objection – Timothy A Williams. Received – 21/10/2021

My full name is Timothy A Williams of 96 Gib Lane, Blackburn, BB2 5BP.

Mr Gavin Prescott recently sent a letter dated 11 October 2021 asking for comments on the proposed development to the land to the southerly side of Broken Stones Road.

I also refer to planning applications 10/21/1083 and 10/18/1116 and I also attach the email stream that I had with you and your colleagues at the start of the year.

Looking through the various plans, forms, pieces of analysis that have been submitted with these plans on your planning portal I cannot see any thought has been given to Footpaths along Broken Stones Road. If approved, the additional 100s of houses to this area and with everyone being encouraged to walk or cycle rather than use cars I think a footpath, cycle lane, or at least much wider carriage way is a pre-requisite to any plans being approved.

Thankfully, from the analysis documents that have been submitted, there does not appear to have been a fatal accident in Broken Stones Road but from my own experience (noted in the attached emails) and with the ridiculous speeds that people drive on the road together with the encroaching vegetation and stone walls it will just be a matter of time.

Would you please ensure that this email and the other emails are included in the documents that the planning committee have available to them for consideration.

Objection - Mr & Mrs Geraghty, Stockclough Cottage, Stockclough Lane, Blackburn. Received – 01/11/2021

Although we live on Stockclough Lane, (Stockclough Cottage), it is rather concerning that although neighbouring properties received details of this development and associated paperwork, we received none? Nevertheless, there are a number of aspects to the development that raise concerns and we would require confirmation and clarity on the enclosed;

Point 2.2.6 – Emergency Entrance onto Stockclough Lane.

I am unsure why an emergency entrance is required onto Stockclough Lane as the site has its two required entrances. Further, it is essential that at no time in the future, is this entrance or any other created will allow access and exit from the development and further extensions of the development onto Stockclough lane. I would like written confirmation of this.

2.2.3

Broken Stone Road is a narrow and dangerous road, with the two new entrance and exit points, it is essential that there are sufficient speed reduction measures put in place. Although reducing the speed limit to 30mph will help, there needs to be stronger measures, similar to those in place through Tockholes. An average speed camera system from the Black Bull Pub down to the round-about on Livesey Branch Road would be necessary.

During the development and construction of the site, we require written confirmation that NO construction vehicles will utilise Stockclough Lane as an exit or entrance and no vehicles will be parked/stored on the road at any times.

The drainage system on Broken Stone Road continues to worsen and since the Gib Lane development and knock-on effect on the natural water table, flooding is occurring whenever there is rainfall. It is vital that the development upgrades the drainage to this road and surrounding areas. Any damage caused to Stockclough Lane and properties on it, due to flooding would be a direct cause of the development. Again, this must be acknowledged.

Across the development there is an “Existing Sewage Easement”. Should this be damaged during the development, the surrounding land and roads are in danger of serious flooding. Can this also be acknowledged, and detail plans shown how this will be avoided.

There does not seem to be an outline of the drainage/sewage system for the development and where the waste will be diverted? Please advise.

During the building works, any serious “piling” or construction noise must be kept to a minimum and any “shock” damage caused must be compensated for.

I am keen that all the above are acknowledged and would like the opportunity to discuss.

Objection – Robert & Wendy Bell, The Black Bull Inn, Broakenstone Road, Darwen. Received – 01/11/2021

Dear Sir

After having studied, with dismay, the information on your website regarding yet another building proposal in this area, we write with our concerns.

(1) The plan seems to have access points to and from this proposed development onto Brokenstone Road. We took over The Black Bull on Brokenstone Road nearly 11 years ago and have witnessed numerous accidents on this road since our occupancy. Although the road speed limit has changed since the Gib Lane developments, cars still go along this road at very fast speed and if another access to yet another development is allowed further traffic would be created and therefore increasing the risk of yet more accidents on this stretch of road.

(2) Some of our customers walk to our pub and back home again along Brokenstone Road towards the proposed building project and at times have turned up at the pub fearing for their life as they have nearly been knocked over. The traffic is so fast, the road is dark with very little lighting and there are no adequate paths for people to walk along. There will obviously be more traffic and potentially the risk of more people either nearly being injured or in fact actually being injured.

(3) Obviously this proposal is going to be of a detrimental visual impact on all the people living in this area who have already had a lot of the environment swallowed up by the houses.

(4) There will be too many vehicles travelling on a road which will not be able to sustain the amount of traffic more houses would create. Brokenstone Road is a lane and not a significant main road. It is in a state of disrepair with many pot holes and has deteriorated since lorries have been up and down the road clearing the site the subject of this planning permission.

(5) There are so many houses within the Gib Lane development in this area, that the rural countryside has been spoilt and this development would take another massive proportion of rural countryside.

We also do not think that safety has been of paramount importance relating to this development. The existing road network is not fit for purpose to be connect to a new internal road network. The massive increase of vehicles during any construction and afterwards with householders vehicles would create far too

much traffic for this road and accidents will be inevitable.

Objection – Rebecca Smith. Received – 10/11/2021

Hi there,

I am emailing in response to the letter we received in regards to the Reserved Matters Application for the planning application 10/21/0343. We would like to register our concerns over the development as we live at Fowler Fold Farm, located on the northern border of the proposed development. We are also aware of the plans across the road (Application number 10/21/0813) which concern is, however we understand that the consultation period for this site is perhaps already over.

Our concern comes from the fact that our farm sits on a public footpath that connects these 2 sites and which runs across our farm. We believe that an increase in walkers looks to jeopardise our use of the fields and subsequently our livelihood.

We would like to propose that the footpath be redirected around our fields through the proposed housing development (10/21/0343) and not through our fields, which contain livestock. We understand that the proposed development across the road (10/21/0813) will have a recreation space located near the top of our field, that we believe could link up nicely to the proposed development if the footpath was rerouted around our fields.

We have since contacted the Blackburn department for public footpaths and understand that redirecting a public footpath is difficult but as our livelihood could be considerably at risk, it seemed best to raise our concerns now.

If any further information is required we would be happy to provide it and can be contacted to give assistance.

**Comment – Kevin Greenwood FCCA, Lower Horden Barn, Brokenstone Road, Feniscowles.
Received – 15/10/2021**

Many thanks for your letter concerning the Planning application for Land at Brokenstone rd. adjacent to my property Lower Horden Barn , Brokenstone Rd

As our water supply runs across the field as well as Telecoms lines I would like assurances that these supplies will not be interrupted and that any development takes this into account

AS the traffic is already busy on Brokenstone rd with an unsafe speed limit for us to leave our property I would also like to understand what is proposed for developing the road in order to make it safe for all vehicles using this road , there is also a major development off Gib Lane with additional cars and traffic

It is a shame that nature once again suffers at the hands of so called progress
