

PLANNING & HIGHWAYS COMMITTEE
THURSDAY 17th FEBRUARY 2022
UPDATE REPORT

The following update content should be read in conjunction with the published Committee Report.

10/21/0745 Land off Eleanor Street, Blackburn

The following **amendments to conditions** set out at paragraph 4.1 of the main report is recommended:

To allow commencement of site preparation and sub-surface works, **amend no. 10** to:

10. Prior to commencement of any above ground works hereby approved, a written scheme describing how odour from neighbouring commercial uses will be removed from air drawn into the mechanical ventilation system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the development and be so retained thereafter.

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

To establish the need or otherwise for noise mitigation measures, **replace no. 11 with:**

11. Prior to commencement of any above ground works, a BS4142:2014 'Methods for Rating and Assessing Industrial and Commercial Sound Assessment' shall be submitted to and approved in writing by the Local Planning Authority. Any noise control measures identified in the assessment shall be implemented as approved, prior to occupation of the development and shall be so retained.

REASON: To safeguard residential amenity standards for future occupants, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

To require implementation of the submitted drainage scheme, as approved by BwD Drainage (as Lead Local Flood Authority, **replace no. 13 with:**

13. Unless and until alternative details have been submitted to and approved in writing by the Local Planning Authority, the development hereby approved shall be carried out in strict accordance with the drainage strategy outlined in the submitted SuDS Drainage Strategy / Flood Risk Assessment produced by Barnsley Marshall, dated 16th June 2021. Surface water run-off from the site shall not exceed the pre-development (greenfield) rate.

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

To allow commencement of site preparation and sub-surface works, **amend no. 16 to:**

16. Prior to commencement of any above ground works hereby approved, a scheme detailing the provision of bat and bird boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved detail prior to operational use of the site and shall be so retained.

REASON: To ensure enhanced bat and bird nesting opportunities, in accordance with the requirements of Policies 9 and 40 of the Blackburn with Darwen Local Plan Part 2.

To allow construction works, **amend no. 21 to:**

21. Prior to occupation of the development hereby approved, a scheme for the provision of covered and secure cycle and motorbike parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the development and shall be so retained.

REASON: To ensure parking provision for alternative modes of transport, in accordance with Policy 10 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

10/21/0826 Land off Carl Fogarty Way, Blackburn

Comments from BwD Public Protection

Further comments have been received from BwD Public Protection following production of the committee report in relation to the air quality issues, and members are advised that these are covered in Section 4.9 of the committee report. Recommended condition 19 in the committee report concerns the submission of a scheme to reduce impacts on air quality. The wording of that condition is intentionally open-ended given the subjective nature of the impacts it seeks to control. Recommended condition 19 has been used previously on large commercial developments in the Borough and it adequately captures the requirements of the two conditions advised by BwD Public Protection above. Therefore, no further conditions are required to be imposed in order to control air quality. Moreover, BwD Public Protection will be consulted on any subsequent applications to discharge planning conditions associated with this development. Recommended condition 19 will only be discharged once they are satisfied with the level/type of mitigation proposed.

Recommended conditions 15, 16 and 17 in the committee report adequately cover the requirements from Public Protection with regards a comprehensive desk study report and contamination validation report.

(Advised Condition: Hours of Use Restriction) – The approved use shall be restricted to the following times;

- a) Monday to Friday: 08:00 – 17:00 hours
- b) Saturday: 08:00 – 16:00 hours
- c) Bank Holidays: 11:00 – 15:00 hours

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

REASON: To ensure appropriate hours of use to minimise noise disturbance at residential premises.

Recommended condition 6 in the committee report adequately covers those requirements. Therefore, no further conditions are required to control the hours of use. This condition also cover all site activities including warehousing and deliveries.

Public Protection also required a scheme to be submitted in relation to floodlighting, construction working hours, and noise/vibration control during the construction phase. These matters are covered by recommended Condition Nos 7 and 8 respectively.

10/21/1210 Longshaw Infants School, Crosby Road, Blackburn

Contamination (Section 4.3.12)

In relation to the required contaminated land conditions, following production of the Committee Report discussions have taken place between BwD Public Protection and the Environmental Consultant (LK Consult). The Council's Contaminated Land Officer is now satisfied with the comments received from LK Consult in regards to his enquiries in which they have clarified all the points made. **As such, condition number 5 which relates to the submission of a desk study report and site investigation work, as set out in paragraph 5.1 of the report has been recommended to be removed. The prior to occupation validation contaminated land condition (condition No.6) will remain to ensure specific evidence is demonstrated of agreed remedial works.**

10/21/1393 Pleasington Cemetery, Tower Road, Blackburn

Planning History

A typographical error is contained within section 6.2 of the published version of the committee report with reference to the determination date. The correct summary of that historic application is as follows;

(6.2) 10/11/0616 – Cemetery, with associated ground modelling, drainage, paths, access structures and carriageways, car parking, landscaping and boundary treatments and ancillary memorialism – Approved, with conditions – December 2011.

Since the production of the Committee report, a further 23 representations have been received from members of the public. These are detailed as follows:

Objection – Fiona Waterfield, address unknown – received 9th February 2022:

To the Planning department:

Please find included my concerns and objections outlined in the attached email to the planning application 10/21/1393.

Just to advise that regarding this pre-application, I did visit Kate Hollern in September 2021, to express my concerns over the proposed prayer shelter and additional parking and specifically the location within the current set up and layout of the Cemetery.

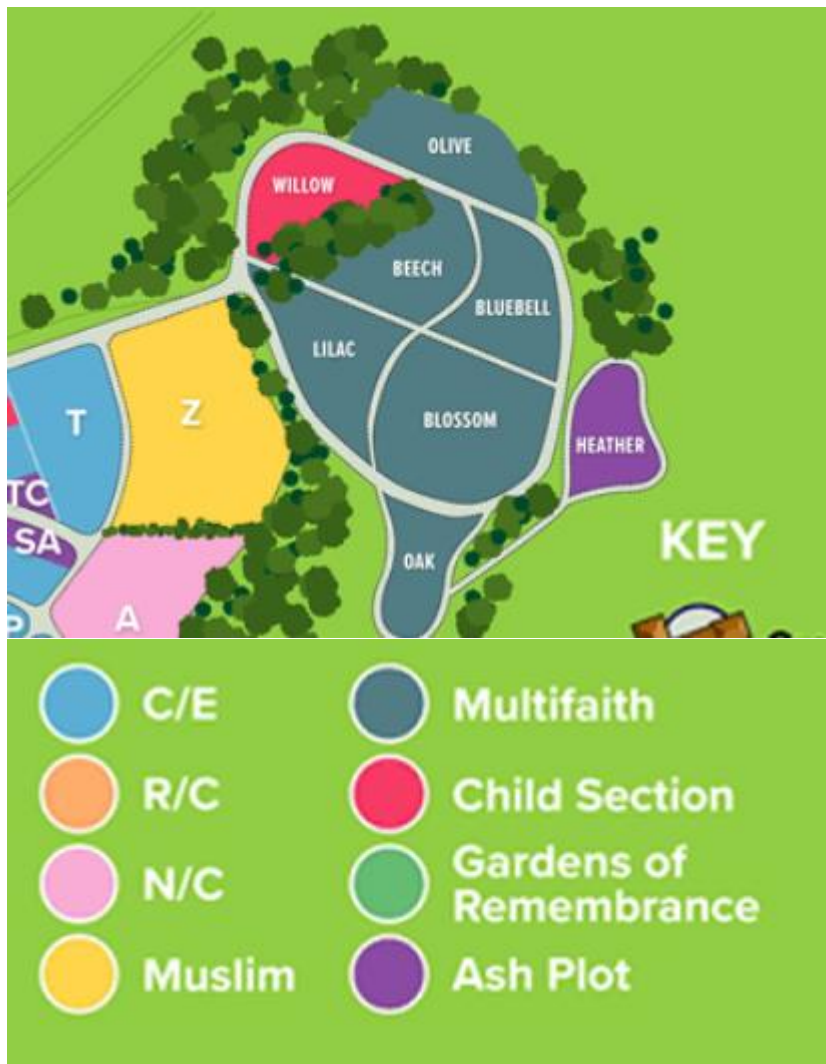
My key observations and objections refer to the fact they are building a Prayer Shelter in a "Multifaith" area of the cemetery. Multifaith by definition should be kept for all denominations as such it indicates that any denomination should be buried next to another, not segregated areas, which this outline plan seems to suggest.

The application indicates a car park and Prayer room and again in a Multi-faith area I would suggest that the building should also be Multifaith space, but again it appears to be specific to the Muslim faith.

The Prayer Room, or rather building and car park is indicated on the plans, but it does not indicate where the burial ground is to be?

The area on the map highlighted appears to show from what I can gather that the Willow area designated in red will be used, and the other Multi-faith zones. Therefore, is the suggestion being they are planning on using the Child section (Willow)? There are already children buried in this area - have the families to be advised?

See map below:



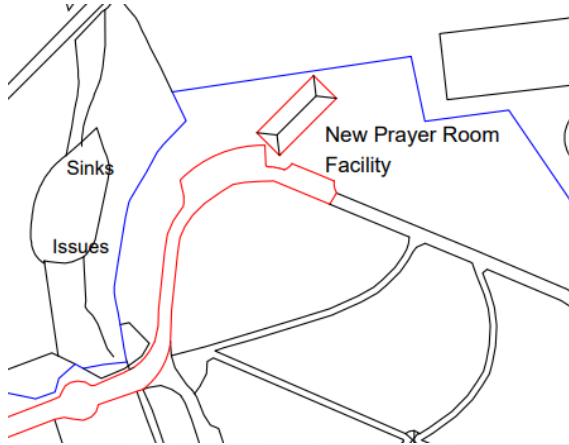
There is currently a space shown on the map in Yellow which is classed as a Muslim area - "Z" this is currently underused - either that or no headstones mark the plots ? If this area is to be used to capacity, there is a carpark already up at that end of the cemetery. A Prayer room could be built here instead? This would then cover the three zones in yellow which are in fact closet to an existing unused car park.



The suggestion of making the prayer room from the same materials as the previous building, so that it " fits in with the surroundings" does not seem justified. The red brick does not

harmonise or is it sympathetic to the woodland surroundings. There are far better natural materials which could have been considered.

The Prayer Room as its title suggests "room" is anything but - in fact it is 25 meters long, and 9 m wide, which given the size would be a massive impact on the area, and dominate the space. This area is a very green and leafy and this building would provide a clumsy brick walled box which would shout out in this environment.



There is reference to a one-way system they are going to introduce. In fact this already exists. However not much notice is taken to adhere to this.

There are lots of people who have purchased a burial site in the areas Willow, Beech, Bluebell, Lilac, Blossom etc and purchased and selected based on the understanding that these areas in this part of the cemetery are designated as Multi-faith areas. As indicated on the map. They were not purchased under "segregated zones", which given the implications of the planning application, it would suggest that this is the intension of the build.

I'm assuming that all the families who have people laid to rest in these sections up at the cemetery have been advised as this will cause no doubt a great deal of distress to those families.

The area currently is one of peaceful reflection with an open aspect and woodland surroundings.

The Prayer room Building in my opinion is in conflict with this.

I noticed today that there has been a signpost added (to one of the disabled bay car park posts) which informs the users of the site of the application, 9th Feb.

Prior to this today however, there were no notifications at all, which begs the question, why was this not done sooner to allow, by legal and due process the users of the site warning of the application.

Given this late notification, I believe that you should allow an acceptable level of time for any comment/objections/feedback to be made.

Regards

Fiona Waterfield

Objection – Annette McDermott, address unknown – received 9th February 2022:

I am composing this email in regards to the proposed plans at Pleasington Cemetery regarding the Prayer rooms.

I have a son who is severely disabled and is in a wheelchair. The parking is already ridiculous. It is a one way system with double yellow lines everywhere. We find it difficult to even park up in a blue badge area due to the amount of cars already parked there due to lack of space. We already struggle getting him to his Dad's resting place where we have already been rejected permission for a bench by Blackburn with Darwen due to maintenance of the grass.

I am also thinking about the wildlife and the Horses that have been up there for years. This is going to ruin the nature for them too. It is peaceful and a lovely place for resting hence why we have 3 loved ones already up in the Blossom area and hoped it would stay that way.

I hope these factors will be taken into consideration.

Regards,

Annette McDermott

Objection – Victoria Miller, 9 Carnforth Close, Blackburn – received 9th February 2022:

Good afternoon, i am writing this email in regards to the proposed plans to the new prayer room at Pleasington Cemetery.

I picked this plot personally for my late father and late close neighbours who of which loved nature and peace. I no longer believe I chose correctly given the new proposed plans. It is already chaotic up there regards to traffic and parking and also outside the Crematorium whilst a funeral is taking place. I believe privacy and dignity will be no more. I believe this is the worst thing that could happen in this area. Also I do believe

there is already a prayer room at Pleasington Cemetery so I don't see the need for a second one. I believe the wildlife and there natural habitat should be left well alone and loved ones should be left to rest.

Regards

V.Miller

Objection – Mark Parsons, address unknown – received 9th February 2022:

Hi object to the new prayer room at pleasington cemetery. My mum has her tree there were all my family go and there is no parking as it is. This is going to cause so much disruption for the grieving family's. The peaceful and thinking in the area will be ruined. This is not fair at all

Objection – Ann Jones, address unknown – received 10th February 2022:

To whom it make concern:

My objection against the proposed application of a Prayer Room Facility and Car Park is the disruption this will bring to this quiet and peaceful backdrop that was chosen by us for our loved ones final resting place. The extra traffic will cause more problems, even as it is now when a funeral is taking place it can take a while to get around the back. The extra facility will make it worse. We chose this calm and tranquil area as a place to visit and reflect with our loved ones. This will be taken away from us.

The notification was totally inadequate for any genuine objections to be considered by the council. It's like our concerns don't matter.

Surely it has to be in everyone's best interest for the council to choose a more suitable site.

Yours Ann Jones

Objection – Ricky McDermott, address unknown – received 11th February 2022:

Dear Blackburn with Darwen Planning,

I would like to put forward my objection to the proposed new Muslim prayer facility proposed at Pleasington Cemetery. I note that this appears to have been done on a low key, low press coverage basis. You should also note that should this have been any other religious prayer facility, you would have received the same objection.

The reasons for the objection are as follows;

1. Highways - the roads with that area are narrow which means it's difficult for vehicles to pass one another. There is also, already a lack of parking without this new facility (a few disabled spaces).

With further and more regular vehicles that would be present, vehicles being able to pass and parking in this area would be chaos even with the additional few extra spaces that are being proposed. I'm quite shocked that your highways department can even approve this.

It also gives a potential to a rise in accidents arising regardless of the speed limit due to what will be a very condensed area for vehicles and pedestrians. Not sure who's been out and actually looked at the proposed site, to see how it would work in the real world.

Again, some of the recent highway schemes approved by your highways teams in the borough are quite shocking. That nice and easy to maintain grass that's currently there will turn to mud once vehicles have a constant need to drive over it to pass other vehicles.

It's also stated that Marshalls will be present to direct traffic, what happen when theres more that one funeral on a set day not just from a muslim perspective but also all the other faiths and none faiths? How's that going to work? Who going to Marshall the other faiths and non faiths funerals?

2. There is already a shelter provided specifically for Muslims (no other faith), so why do you need to create another one outside of that area? There are ample prayer facilities already provided and also throughout the borough, please can you explain why another is required specifically in this area? Why isnt there a shelter for other faiths and non faiths in this area with associated parking given its a non Muslim part of the cemetery?

3. Within this area of the cemetery and for maintenance reasons we are told the graves aren't allowed grave rails or grave ledgers around the plot to 'save the council money and keep it low maintenance'.

Now the council has spent thousands of pounds of tax payers money on reports, designs, consultations and should it get approved many more thousands of pounds on construction and maintenance for a prayer facility that is only for one faith, this doesn't sound very low maintenance to me.

Would we other faiths and non faiths now be allowed to install grave rails, grave ledgers etc. to even up the spend in this area? Or is that one rule for one and one rule for another? No wonder the town is segregated with policies and special treatment being applied to specific a faith.

4. The timing of this application seems to have been made at a very convenient time to keep this low key and out of sight of the majority of people so they cant object or have a say. There also been a lack of press coverage and public consultation.

5. The facility will also bring unwanted and unneeded noise to what is a tranquil and quiet area where people are burying or visiting their deceased relatives and I find this is insensitive with a lack of considered being afforded other users. If you want bad press, then your going about the right way.

6. I cannot see how this proposal will fit to the surrounding area and will it completely ruin this part of the Cemetery.

As a council payer, I don't really see why there is a need for the council to spend many more thousands of pounds on a facility such as this considering the debt it is already in, how often we hear the council budget deficit figures, how it claims to have no spare money and the fact it doesn't serve the wider community at all!

Please can I see the costs to date, the council has spent on the application in terms of specialist consultant fees, design fees etc.? Can you also provide me with the estimated budget cost for works? Or do I need to send in a FOI request?

Regards

Ricky McDermott

Objection – Arthur Whelan, 4 Newlands Close, Blackburn – received 11th February 2022:

Relevant planning officer regarding application 10/21/1393

I would like you to consider my objection to a planned Muslim Prayer room with Toilets and washing facilities to Blackburn with Darwen also a small extension to the three parking spaces to eight at the proposed site.

During the muslim burials they are well attended by mourners as their traditional expects this causes traffic congestion despite the well meaning intentions of marshals. I visit the cemetery several times a week to visit my wife's grave/headstone the burials in this area are in a controlled lawned area or large block paved areas and not as the Muslim tradition of burying in a white shroud and a grave mound.

The planned pray room is not in the area it is suspected that there will in the future be muslim burials in the vicinity of the prayer room and their burial mounds will cause upset especially the older people like myself. Whoever one speaks to at the cemetery they express their concern at the proposed plans.

Yours faithfully

Arthur Whelan.

Objection – Richard Varey, address unknown – received 11th February 2022:

To whom it may concern,

I am composing this email in order to object against the proposed erection of a Muslim prayer house at Pleasington Cemetery and Crematorium, Blackburn.

Pleasington Cemetery and Crematorium is predominantly a Christian based setting, and whilst I have no objection to other faiths being buried on site, I strongly object to a Muslim prayer room being erected on these grounds. This is due to the following reasons:

1. Traffic and parking congestion that will be created on an already busy and limited site.

2.The buildings in-keeping with the current surroundings and its failed opportunity to develop the character and quality of the area. Furthermore, I am also concerned with the removal of surrounding nature which contribute to the visual amenity of the area.

3.Noise levels that could be potentially disruptive to other members of the community paying their respects to deceased loved ones as some gatherings and prayer times can be quite loud.

Taking the following arguments into contemplation, I feel that these objections are not unreasonable and will be taken into careful consideration.

I look forward to hearing your response and hope for a favourable outcome.

Yours Faithfully,

Mr Richard Varey

Objection – Mr Jack Robinson & Mrs Helene Robinson, Braemar, Bowden Avenue, Pleasington – received 11th February 2022:

Dear Sirs.

I submit the following comment on Planning application No 10/21/1393

Re: Construction of a new prayer room facility including soft landscaping and associated parking.

The Design and Access Statement to support the Planning Application shows the proposed location of the additional Prayer Room to be amidst an area of the cemetery designated for the burial of children and for multi-faith burials.
(See Key Map of Pleasington Cemetery.)

An Executive Board Decision, (Executive Member Growth and Development): was taken without consultation, report dated 12 Aug 2021. This report stated:-
Quote:

"The current Muslim burial grounds which surround the existing prayer shelter will be at capacity within the next 12 -15 months, at which point all future burials will take place in the new extension to the north of the cemetery, which is some considerable distance from the existing prayer shelter".

End of Quote.

However, Muslims cannot be buried with non-muslims as outlined by the advice given below.

Quote: -

In the name of Allah, Most Compassionate, Most Merciful,

Under normal circumstances, it is impermissible to bury Muslims alongside non-Muslims.

It would not be permissible to bury Muslims in a graveyard or a land where Christians, Jews, Hindus, Sikhs and people of the other faiths are buried.

Similarly, it is impermissible to bury non-Muslims in a land where Muslims are buried.

However, if the Muslims do not have a cemetery of their own, then it is permissible for them to bury their dead in a non-Muslim cemetery.

In such a situation, every effort should be made to secure a portion of the cemetery exclusively for Muslims, so that they may bury their dead together.

In such a situation, every effort should be made to secure a portion of the cemetery exclusively for Muslims, so that they may bury their dead together.

Since the time of the blessed Messenger of Allah (Allah bless him & give him peace), Muslims throughout the ages have been burying their dead in their own cemeteries.

There have always been separate burying areas for Muslims and non-Muslims, thus the constant practice of the Ummah (ta'amul) is considered to be one of the evidences.

There are many rules and regulations in Islam that have to be adhered to during burial, such as the type of grave dug, etc...thus, it is necessary for Muslims to have a separate burial area.

Therefore, due to the burial park which you mentioned not having a separate area for Muslims, where they may bury their dead, and also an area where they may perform the funeral prayers, it would not be permissible for Muslims to bury their dead in the park.

However, if a whole separate area can be designated for Muslims and where no non-Muslims are buried, then it would be permissible.

And Allah knows best
[Mufti] Muhammad ibn Adam
Darul Iftaa
Leicester, UK

End of Quote

The Design and Access Statement **incorrectly** states;

Quote: -
"the designated and **unused burial ground** namely beech, bluebell, lilac, and blossom."
End of Quote

This is factually incorrect.

The burial ground has been in use now for several years for the burial of multi-faith persons, the exact position and number of burials, (which, currently is in the order of 100 or so), will be found in the Pleasington Cemetery records.

The use of the term "multi-faith" is misleading in the context of burial grounds and may have led to an Executive Board Decision, (with no consultation with others), that cannot be executed..... because there are no designated burial grounds for Muslims in the new extension to the north of the cemetery.

The Design Brief to the contractor, Harrison Design, who carried out the extension work in 2015, was for the creation of a multi-faith burial ground.

Below is an extract from the regulations and rules extracted from the Blackburn with Darwen website relating to the rules that apply to this area of Pleasington Cemetery.

Pleasington cemetery extension rules

Burial plots

- This is a non-denominational burial site. There are no defined faith sections and new graves will be allocated in order within the current section, based on the required depth.
- The 2021 Rules apply to the cemetery extension
- Exceptions:
 - After burial, the grave will be turfed or seeded by the Council and no articles may be placed on the grave space whatsoever
 - Reasonable personalisation is permitted on the plinth and memorial stone only. Any personalisation found to be exceeding what is considered to be reasonable will be removed and stored for collection within 28 days.
 - The Council reserves the right to remove any item placed on or near a grave without prior notice or right of appeal.

- o This is a lawn cemetery and therefore no garden area or kerb surrounds are permitted within the cemetery extension.
- o No kerb sets, fences or edgings of any kind are permitted throughout the cemetery extension.

The above regulations present difficulties and are in opposition to the burial practices of devout Muslims.

Objection – Sharon Pickering, address unknown – received 12th February 2022:

This email is representing my families concerns regarding the proposed plans for the prayer room & car park within Pleasington Cemetery.

We got a plot on Heather section for my Dad who sadly passed away April 2020 as it was a lovely peaceful spot!

This is going to be ruined if your proposal goes ahead!

The plans show the prayer room and car park are going in the middle of the grass that is clear at the moment except for trees that have been purchased by families to remember their loved ones. What is going to happen to them?

Also the following is not a racist comment but the traffic on the road up to the cemetery is always jam packed and cars everywhere when the Asians hold burials so what will it be like on the proposed area despite a car park being made, the road around there has only enough room for one car to pass.

I myself need to park in the disabled bay near Heather section due to walking difficulties, and if this is full I won't be able to visit my Dad!!

Await your comments

Sharon Pickering

Objection – Mr Jack Robinson, Braemar, Bowden Avenue, Pleasington – further comments received 13th February 2022:

The vision during the construction of the Pleasington Cemetery Extension was to create a burial ground that was sympathetically designed in order to fit into the natural and attractive rural setting. (Refer to Harrison Design-Development website).

There are existing rules for burial ground maintenance, access and parking in the Pleasington Cemetery Extension, (see Rules and Regulations [2021 rules] of Blackburn with Darwen Borough Council relating to Cemeteries and Crematorium on BwD website).

The rules for access, maintenance and the limitation on parking have been instrumental in creating the current spiritually uplifting ambience in the Pleasington Cemetery Extension. One of the ways that is achieved is by reducing the impact of vehicles and parking of vehicles in the Pleasington Extension.

The position of the new Muslim Prayer room creates a situation where a multi faith burial and a Muslim burial service could produce a high overlap risk, but providing the (2021 rules) are enforced relative to parking, access and maintenance, then at least, the potential parking problem could be minimised.

However, the current planning application for the new Muslim Prayer room envisages a need to change the rules to allow more parking to be permitted in the Pleasington Cemetery Extension.

Unlike the Muslim, Roman Catholic and Church of England burial grounds, the Pleasington Cemetery Extension burial grounds are maintained as a lawned cemetery.

The Pleasington Cemetery Extension is a multi-faith burial ground used by all faiths, and has been in use for several years.

Besides the lawned burial areas there are; cremation memorial areas, memorial benches and memorial trees.

The lawned aspect of Pleasington Cemetery Extension is a major factor in achieving the natural and attractive rural ambience, as originally envisaged by the Blackburn and Darwen Borough Council and their landscape designers.

For this reason the lawned appearance is an essential element, but could be lost, if Blackburn and Darwen Borough Council (2021 rules) for Pleasington Cemetery Extension are changed to accommodate the burial preferences of Muslims, Roman Catholics or Church of England.

This could result in a diminution in the natural and attractive rural setting of the extension, which would be regrettable.

I could take photographs to support my observations, but the Blackburn and Darwen Borough Council (2021 rules) for Pleasington Cemetery Extension prevent this and would be disrespectful in any event.

Yours faithfully,
Jack Robinson.

Objection – Alison Tomlinson, 1 Dale Crescent Blackburn – received 13th February 2022:

Dear Kate

I am contacting you regarding the above planning application for a prayer room in Pleasington Cemetery which I have only been made aware of today and completely OBJECT to.

We have a family plot in the section directly opposite the proposed application, Brent Stevenson have my contact details, so please tell me why we have not been made aware of this planning application which was proposed in August 2021 by BWDBC?

What is the reason for the lack of transparency by the Council for not considering the existing families who already have plots in this area? There is no excuse for not asking our opinions other than being underhand.

There is already a good sized Muslim prayer room in Pleasington Cemetery so what is the need for another prayer room to be used predominately for Muslims in a different area of the cemetery?

We have had our family plot since the new part was officially opened in 2014 at which time we were told by a council official, Nicola, that there was only enough room in this new part for 10 years. Now 8 years on, was it always the plan for the areas which have been left grassed at the top of the circle to be for a prayer room and Muslim Burial area? This part of the cemetery is prone to flooding and I have seen that the Muslim burials involve a mound of sandy earth, so is this ground actually appropriate for a Muslim Burial area where the earth would be easily spread and washed further down the circle which really is not fair for any families? Can you explain what measures would be in place if the plans are to go ahead to prevent this from happening? It seems a waste of council funds to build a prayer room in an area which has 2 years capacity left and has managed well enough in the past 8 years without one. There are obviously sufficient prayer areas throughout the cemetery to accommodate anyone who wants to make use of one.

I have also seen that Muslim Burials can take place when it is dark, and have seen the existing generator powered floodlights and diggers which are in place near to the existing Muslim prayer room. I have also witnessed first hand the amount of traffic for a Muslim Burial, having had many a conversation with Councillor Khonat whilst he tries to direct cars and allow cars through to other areas of the cemetery at the same time having discussions with drivers of cars being abandoned anywhere on the road into the cemetery, for the occupants to attend a burial. He has told me they do their best to try and direct and control the flow of the cars but can't do anything about drivers abandoning their cars. This really concerns me if the prayer room goes ahead with 6 parking spaces. This is in no way sufficient for the proposed plans. From what I have witnessed, there will be cars parked anywhere and everywhere. The carpark built near the cemetery entrance to help alleviate the parking problem on the way into the cemetery is underused, so do you think 6 parking spaces at the proposed prayer room is going to be sufficient?

We chose our plot in the Bluebell section for the peace and tranquility it provides for us as a family and this would be disrupted by these proposed plans.

I would like to ask you personally, is it fair and moral for our family and a Muslim family who remember our loved ones differently, to be forced to share this area of the cemetery? Does how we remember our loved ones in the peace and tranquility of this area without lots of passing traffic not matter to you?

I would like a response please to my questions:

1. Why was I not contacted in the past 6 months regarding the planning application which has resulted in me and my family missing the final date for comments to planning?
2. Why is there a lack of transparency by the council as in no contact or proper notices around the area of the proposed site?
3. What measures would be taken to avoid further flooding of this area with the nature of a Muslim Burial ground?
4. What measures would be taken to avoid a repetition of the chaos of traffic which is already out of control on the road leading into the cemetery?

5. Why are the council wasting funds on a prayer room in an area of the cemetery which has a 2 year capacity remaining and has managed without one for the past 8 years?

6. What measures will be in place to ensure that there won't be diggers, generators and floodlights permanently on this area?

7. Having an existing plot do we not have the right to retain the peace and tranquility of this area which we have chosen for this reason?

I completely oppose this planning application and look forward to your reply please.

Regards

Alison Tomlinson

Objection – Simon Tomlinson, 1 Dale Crescent, Blackburn – received 13th February 2022:

I understand the dates for comments have passed for this application but I would like to comment on the way this has been listed & handled.

I have a family tree in the Bluebell section facing the proposed site. We should have been notified about these plans like we would be if there was a planning application next door to my house.

The building will attract large numbers of cars & people & will ruin the peace, tranquility & look of the area.

I understand there is a large Muslim prayer room in the Muslim area of the cemetery - what is the need for another one.

Also, if it's supposed to be a multi faith prayer room, why is facing Mecca & not Jerusalem? The proposal is racist to Christians.

Regards, Simon Tomlinson

Objection – Joanne Byrne, address unknown – received 14th February 2022:

Hi,

I would like to object to the Muslim Prayer Shelter/Room planned to be built at Pleasington Cemetery.

My daughter's ashes are buried in the Heather Section of the cremation memorial area. I chose this part of the cemetery as it is very open and peaceful. Over the past few days I have visited my daughter's plot and numerous people have complained and are very unhappy about the Prayer Shelter being built in this area.

There are already memorial benches and memorial trees in that area of the Cemetery which should be left there.

As a frequent visitor to this area of the Cemetery this section is always busy. If this application goes ahead it will result in constant congestion problems which will cause chaos to that part of the Cemetery and will prevent people having access to their loved ones graves.

Some people have actually stated they will have their family members exhumed if this goes ahead.

Please reconsider this planning application and look for alternative land.

Many thanks Joanne Byrne

Objection – Paul Yeomans, 18 Plantation View, Weir, Bacup – received 14th February 2022:

Dear Christian

I am writing to raise my objection to the building of the muslin prayer room in the new section of Pleasington Cemetery in Blackburn Lancashire.

There has been absolutely no communication about this and there has been zero transparency. Absolutely no attempt has been made to make people aware who have loved ones already buried there.

This plan will make the small loop road and the road up to the crematorium extremely congested with traffic that it was never designed for, in addition to the huge increase in pedestrians in this area.

The addition of this prayer room will have an impact on the wildlife. There is more chance of the ducks being hit by cars with the extra traffic going up the road. Also, there is an area for Hedgehogs in the area that the prayer room is planned for. The Hedgehog is a protected species in this country and the building of a prayer room will severely impact on their habitat.

The increase in noise and traffic will also impact on mourners who are visiting loved ones and it is extremely unfair to take away this tranquillity at such a sensitive time.

Kind Regards

Paul Yeomans

Objection – Vanessa Willoughby, 15 Foxstones Crescent, Blackburn – received 14th February 2022:

I would like to express my objection to the above planning

- it's a multi faith burial site yet a Muslim prayer room will mainly be used by Muslims
- Muslim burials tend to have large gatherings and the traffic will be very bad
- it will disturb the wildlife even more and the natural beauty of there

- there is already a designated Muslim area with prayer facilities why not redo that up

Objection – Paul Blakey, 3 Sandpiper Crescent, Bamber Bridge – received 14th February 2022:

For the attention of: Case Officer/Christian Barton

I respectfully urge you to give consideration to relatives who already have loved ones buried in the new sections of Pleasington Cemetery.

My son Sam was only 25 when he lost his fight with a terrible and rare form of cancer in October 2020. We purchased a burial plot for Sam in the new Heather section, with it's wonderful views of the surrounding countryside and the undisturbed, peaceful and secluded location.

Whilst the need to expand Muslim burial sites is completely understandable, I firmly believe the existing plans for a prayer shelter are inappropriate, insensitive and disrespectful. Surely there has to be another location which is more suitable.

If Muslim burials are to be serviced in new facilities at the proposed location, the arrival and departure of large numbers of mourners will be disturbing, obstructive and disruptive to others.

It is clear to see there will be car parking chaos at the very least.

The peace and tranquility around this new area of the cemetery will be lost forever. Please try to understand how this situation has far reaching consequences.

As a parent, the loss of a child is heartbreaking, soul destroying and unbearable. Whilst it may not be described as enjoyable when I visit "Sam`s place", there is some comfort to be gained from spending time there, essentially with my Son, in quiet moments of reflection and solitude.

Regards

Paul Blakey

Objection – Mr Jack Robinson & Mrs Helene Robinson, Braemar, Bowden Avenue, Pleasington, further comments – received 15th February 2022:

Re - Report of the Strategic Director Plan No 10/21/1393 dated 8th Feb 2022

Note! The closing date for comments for this planning application was 11th Feb 2022, so my latest comments sent by email were not included on the 8th of Feb 2022, when I checked.

However, I note the scope of your assessment as you defined it; at 4.1.1 of the above report.

So I have revised my comments thus.

I must first declare an interest. I have a grandson who was buried in the multi-faith Cemetery Extension, having not quite achieved his 10th birthday.

I am a retired Design engineer with over 40 years design experience. I know that the design principles of form and function are intertwined.

From a multi-faith perspective, the design has capacity to function as a prayer shelter and it will be a pleasant place to have a cup of tea or coffee, reflect and remember loved ones, who have passed; and perhaps offer a prayer in the lovely, natural, God given surroundings. It could be made much smaller and less imposing and still function effectively.

From a Muslim Community perspective, the function of the prayer shelter is to carry out the traditional pre-burial religious rituals, which it can do.

However, Muslim scholars, say the the Prayer Shelter should be located in an area specifically designated for the exclusive burial of Muslims. Which it is not.

So the location and lack of exclusivity, inhibit its function due to religious and cultural reasons.

The only place, which I can see on the Cemetery Map, where the functional requirements for the Muslim community can be achieved is marked "Z" on the map. This is outside the area designated for multi-faith burials.

An Executive Board Decision, (Executive Member Growth and Development): was taken report dated 12 Aug 2021. This report stated:-

Quote:

"The current Muslim burial grounds which surround the existing prayer shelter will be at capacity within the next 12 -15 months, at which point all future burials will take place in the new extension to the north of the cemetery, which is some considerable distance from the existing prayer shelter".

End of Quote.

The following information is relevant to any planned burials in a multi-faith cemetery and in relation to the position proposed for the Prayer Shelter.

Quote: -

In the name of Allah, Most Compassionate, Most Merciful,

Under normal circumstances, it is impermissible to bury Muslims alongside non-Muslims.

It would not be permissible to bury Muslims in a graveyard or a land where Christians, Jews, Hindus, Sikhs and people of the other faiths are buried.

Similarly, it is impermissible to bury non-Muslims in a land where Muslims are buried.

However, if the Muslims do not have a cemetery of their own, then it is permissible for them to bury their dead in a non-Muslim cemetery.

In such a situation, every effort should be made to secure a portion of the cemetery exclusively for Muslims, so that they may bury their dead together.

Since the time of the blessed Messenger of Allah (Allah bless him & give him peace), Muslims throughout the ages have been burying their dead in their own cemeteries.

There have always been separate burying areas for Muslims and non-Muslims, thus the constant practice of the Ummah (ta'amul) is considered to be one of the evidences.

There are many rules and regulations in Islam that have to be adhered to during burial, such as the type of grave dug, etc....thus, it is necessary for Muslims to have a separate burial area.

Therefore, due to the burial park which you mentioned not having a separate area for Muslims, where they may bury their dead, and also an area where they may perform the funeral prayers, it would not be permissible for Muslims to bury their dead in the park.

However, if a whole separate area can be designated for Muslims and where no non-Muslims are buried, then it would be permissible.

And Allah knows best
[Mufti] Muhammad ibn Adam
Darul Iftaa
Leicester , UK

End of Quote

The Design and Access Statement accompanying the planning application incorrectly states;

Quote: -
"the designated and **unused burial ground** namely beech, bluebell, lilac, and blossom."
End of Quote

This is factually incorrect.

The burial ground has been in use now for several years for the burial of multi-faith persons, the exact position and number of burials, (which, currently is in the order of 100 or so), will be found in the Pleasington Cemetery records. In addition there are memorials for those cremated, memorial trees, and memorial benches to people who were non-Muslim.

The use of the term "multi-faith" is misleading in the context of burial grounds and may have led to an Executive Board Decision that cannot be fully implemented..... because there are no designated burial grounds for Muslims in the new extension to the north of the cemetery.

According to the Executive Board Decision taken in August 2021 the building is to be a Muslim Prayer Shelter.

Have the Muslim Community been consulted on this prayer shelter being in a multi-faith cemetery, where non-Muslims are already buried?

Will the Muslim Community abide by the Rules for Pleasington Cemetery Extension as all other faiths have to?

The advice from the mufti is clear, no burials in a multi-faith burial ground.

The building could not be moved for "religious and cultural reasons", so as to avoid unstable ground conditions. (See

However, there are unavoidable "religious and cultural" issues still to be resolved or maybe imposed on either the Muslim Community or the nonMuslim Community.

Below is an extract from the regulations and rules extracted from the Blackburn with Darwen website relating to the rules that apply to this area of Pleasington Cemetery.

Pleasington cemetery extension rules

Burial plots

- This is a non-denominational burial site. There are no defined faith sections and new graves will be allocated in order within the current section, based on the required depth.
- The 2021 Rules apply to the cemetery extension
- Exceptions:
 - After burial, the grave will be turfed or seeded by the Council and no articles may be placed on the grave space whatsoever
 - Reasonable personalisation is permitted on the plinth and memorial stone only. Any personalisation found to be exceeding what is considered to be reasonable will be removed and stored for collection within 28 days.
 - The Council reserves the right to remove any item placed on or near a grave without prior notice or right of appeal.
 - This is a lawn cemetery and therefore no garden area or kerb surrounds are permitted within the cemetery extension.
 - No kerb sets, fences or edgings of any kind are permitted throughout the cemetery extension.

Objection – Angela Smith, address unknown – received 15th February 2022:

Hello my name is Angela Smith i would like to say that i don't agree with the proposed site at pleasington cemetery to be converted into a prayer room and burial site. There is lots of wildlife living in the area there and i walk my dog there daily and i see deers, hares, rabbits, squirrels, kestrels etc i think it would be harmful to the wildlife and unnecessary. I hope you can review the proposal and stop it from happening.

Regards Angela Smith

Objection – June Bausor, address unknown – received 16th February 2022:

Hi Christian,

I sent an email beginning of last week about the plans to be sent to me for the prayer room. As of yet nothing has come through. I want to oppose this planning application as I am not happy with the chaos it will cause at the Blossom Section with parking and the traffic issue. More importantly why has the families of the loved ones buried up there not been more informed about this possible planning?? Please can you forward the plans. And register this email as a strike against the planning permission.

Thank you

Objection – Sharon MacNeal, address unknown – received 16th February 2022:

I object to this prayer room build going up at pleasington near the willow & blossom section.

Objection – Joan Ball, address unknown – received 17th February 2022:

I'm sorry I hope this isn't too late but the current position will devastate the wild life now present within the coppice, create untold problems especially for the elderly wishing to visit the graves of loved ones. There are other areas ie the car park(seldom used even on funeral days) at the top of the road from the crematorium. PLEASE PLEASE reconsider the

positioning . Of this development there was only one notice put up in a position not many people would see and the top of the notice where it gave who to complain to had been conveniently torn off .

The above representations can be summarised as follows in relation to material planning considerations:

1. No reference is made on the submitted plans to future burial arrangements;
2. The cemetery already has a prayer shelter;
3. The design of the proposed building is not in keeping with the area;
4. Additional noise and disturbance would arise for existing site users;
5. The inner road network is not suitable for the proposed use;
6. Inadequate parking exists to service the development;
7. Local trees and wildlife may be adversely effected;
8. Elevated levels of surface water flooding may occur;
9. An inadequate level of public consultations have taken place.

Officer Comments

Point 1 – Such matters are covered in section 4.1.1 of the committee report. The scope of this planning assessment only covers the works proposed, in the form of a building and parking area.

Point 2 – It is acknowledged that an existing prayer shelter is in place within the cemetery. However, the existing structure is not fit for purpose given its lack of services and structural integrity. Moreover, the burial land around the existing prayer shelter is almost at capacity and a new facility is required to service new burial areas.

Point 3 – Such matters are covered in section 4.3 of the committee report.

Point 4 – Such matters are covered in section 4.4 of the committee report. The Agent has also confirmed that funeral services will be staggered through the use of a booking system in order to minimise disturbance and congestion.

Points 5 and 6 – Such matters are covered in section 4.5 of the committee report. In addition, please refer to Figure 1 below.

Point 7 – Such matters are covered in sections 4.6 and 4.7 of the committee report.

Point 8 – Such matters are covered in section 4.10 of the committee report. The Agent has also confirmed that the proposed location was selected in order to minimise such issues.

Point 9 – Such matters are covered in section 7.10 of the committee report. The relatively limited area of the application site coupled with the rural nature of the surrounding land uses means that public consultations are limited to a single neighbour letter and site notice(s). With this application, nationally prescribed notification procedures have been correctly followed and ample time has been provided to allow for members of the public to make comments for the proposed development.

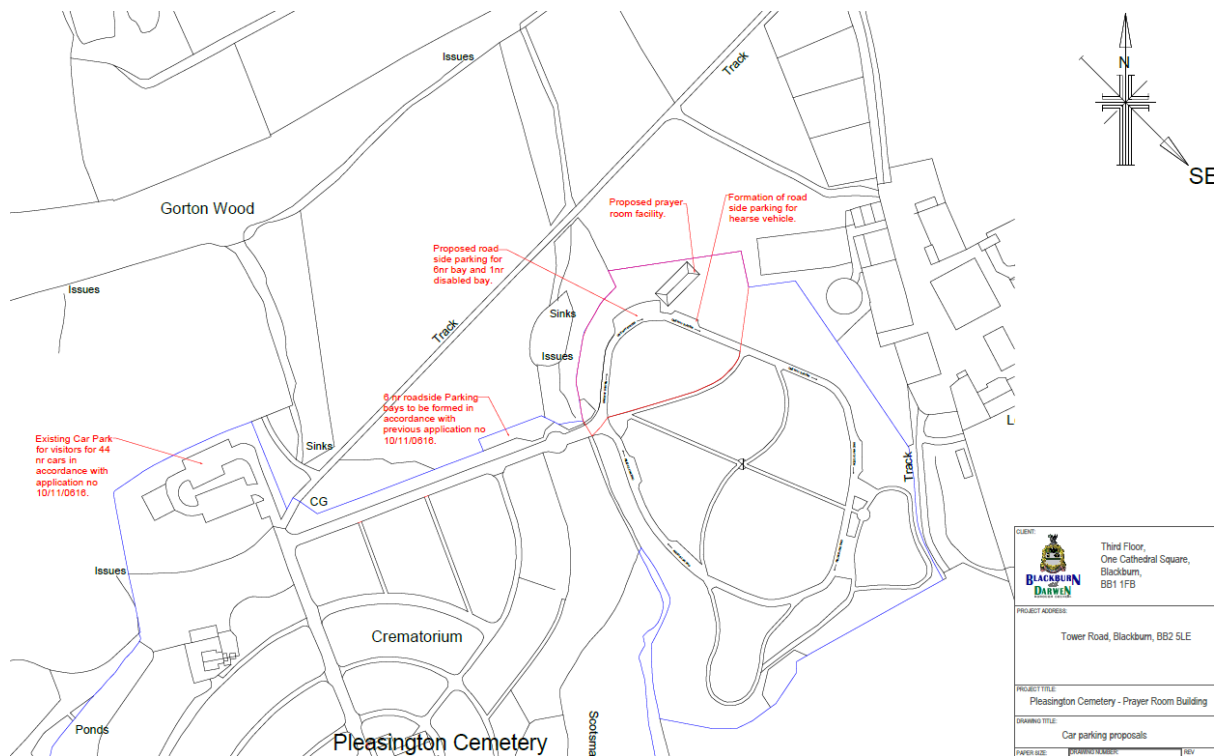


Figure 1: Plan showing position of application site and parking arrangements:

Other matters:

A number of points and issues have been raised in the representations submitted by the general public which are not planning related matters.

For clarity and the rationale behind the proposed development, members are advised to consider the following information provided by Martin Eden, Director of Place:

The existing Muslim prayer shelter in Pleasington cemetery, which was constructed in 1989, is a single storey, single brick building. “Single brick” was a construction method which was popular in the Victorian era where a single course of brick was used to build exterior walls. It is not a construction method which is used today.

The prayer shelter has a metal panel roof which is not insulated. The roof often leaks in areas, when this occurs, expanding foam is pumped onto the inside of the roof panels to try to plug the water leaks.

The current electrical supply to the prayer shelter only provides enough energy to power the lights and one plug socket so as a result, the building has no hot water or heating, hence in the winter months it is extremely cold.

The water pipes have burst regularly in the winter months because the shelter is so cold the water freezes. When the pipes burst, it causes considerable water damage to the carpet.

There is no toilet provision within the existing prayer shelter. Due to the high number of funerals taking place throughout the pandemic, a portaloo has been installed adjacent to the prayer shelter but this will be removed at the end of March 2022.

There are ongoing concerns about the poor condition of the prayer shelter and the impact it could have on the health of those using it. There is significant condensation on the windows and doors which in turn creates a damp atmosphere within the shelter which is not conducive to good health. The main cause of the condensation is the thin metal panel roof, the only effective means of eradicating the condensation would be to replace the roof with a modern fit for purpose construction which would be very expensive.

The lack of heating and hot water is also of real concern as the temperature inside the shelter mirrors the temperature outside the shelter which is why the water pipes are freezing and bursting on a regular basis in the colder winter months.

In summary, the existing prayer shelter is not built to modern day standards and is in very poor condition. It requires significant investment to reduce / alleviate condensation and to provide much needed heating for users in the colder months of the year. The prayer shelter has no permanent toilets facilities and users are currently reliant on a temporary portaloo facility, which will be removed at the end of March 2022.

The current prayer shelter and Muslim burial grounds are located adjacent to the main entrance to Pleasington Cemetery. When a large Muslim funeral takes place, the entrance to the cemetery can become congested with significant numbers of cars parked on the main drive leading up to the crematorium. At times this causes access issues for other visitors attending a cremation or visiting a grave to pay their respects.

When Muslim burials take place in the new section of the cemetery, the cars of those attending the funeral will be parked well away from the main entrance and the crematorium as the cars will be parked in the 44 space car park and on the main drive up to the new section. To make parking more efficient, the Council intends to mark out parking bays on the main drive to ensure the maximum number of cars can park there.

From January 2021 to January 2022, a total of 433 burials took place at Pleasington Cemetery:

- 264 Muslim burials (61% of all burials)
- 169 Catholic, C of E and non-denominational burials (39% of all burials)

The number of burials increased significantly during the pandemic, we are now experiencing a return to the numbers of burials experienced before the pandemic with an average of 4-5 Muslim burials taking place each week.

Bookings for Christian and non-denominational funerals end at 3.30pm Monday to Thursday and 2.30pm on Friday. Bookings for Muslim burials can and often do take place later in the afternoon, into the evening and at the weekend, when no other funerals or cremations are taking place.

The Council did review all available land around the new section of the cemetery when deciding where to locate the Muslim prayer shelter. The preferred option was to site the prayer shelter on the area of land which contains self-seeded immature trees and

saplings. This land is overgrown and was adjudged not to be suitable for burials when the new section was developed. The site is adjacent to Olive section which is only suitable for single depth graves, accordingly it makes sense to use this section for Muslim burials as they only require a single depth grave, whereas the majority of applications for Christian and non-denominational burials request a grave which can accommodate 2 or 3 burials.

Traditionally in Blackburn, when a Muslim burial takes place, the deceased is taken to the prayer shelter and immediately following the prayers, the deceased is then carried to graveside and buried. The new Muslim prayer shelter is located close to where Muslim burials will take place in the new section which will allow this practice to continue.

Summary:

Members are advised that the additional representations have been fully considered in terms of the material planning considerations raised, and the recommendation to approve the application with conditions as set out in Section 5 of the main report still stands.

**Gavin Prescott,
Planning Manager (Development Management)
17th February 2022**