

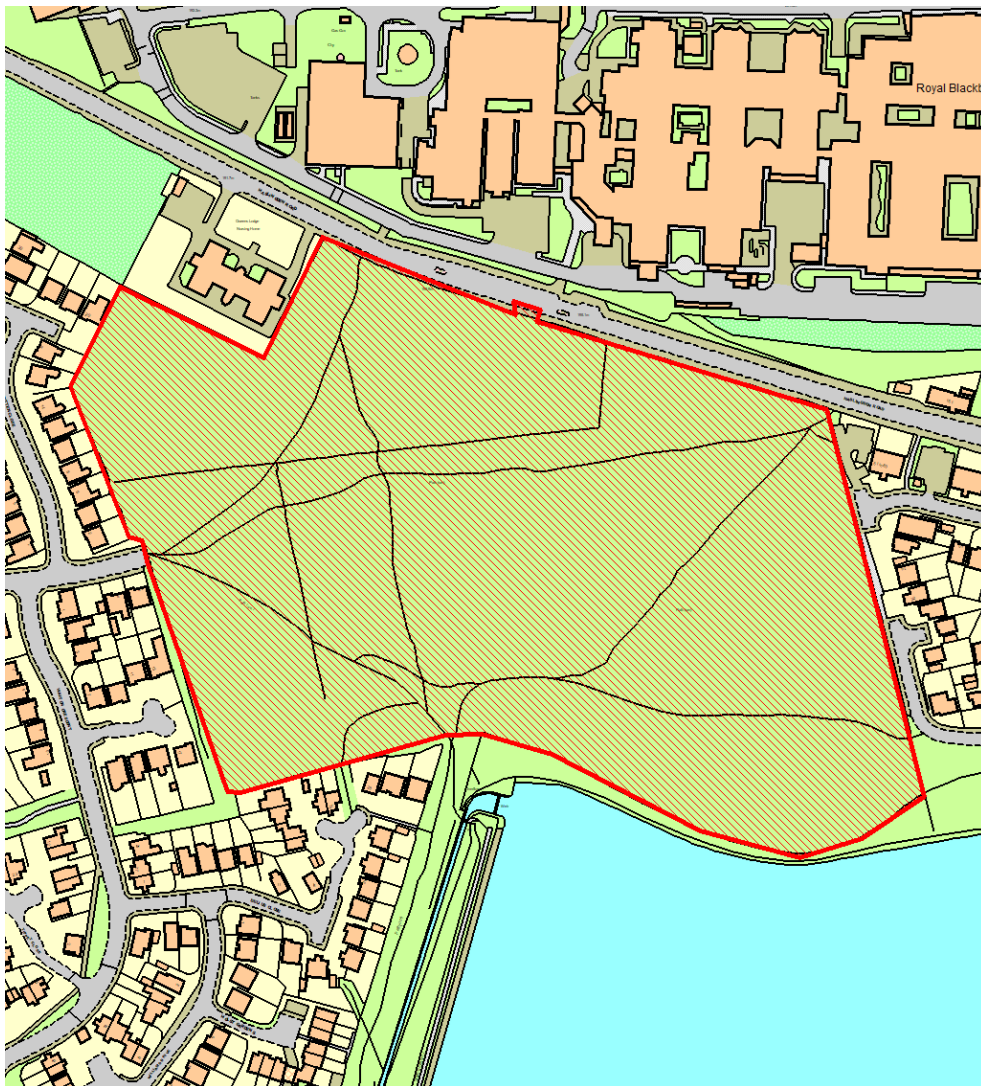
Proposed development: Hybrid planning application comprising - Full permission for the erection of 160 dwellings and 50 affordable, key hospital worker apartments in two blocks together with access roads and landscape treatment (Phase 1); and outline permission for the erection of 100 affordable, key hospital worker apartments in four blocks, with all matters reserved except for access (Phase 2).

Site address:

**Land Bounded by Haslingden Road and Fishmoor Reservoir
Haslingden Road
Blackburn**

Applicant: Keepmoat Homes

**Ward: Blackburn South East Councillor Tony Humphrys
Councillor Vicky McGurk
Councillor James Shorrock**



1.0 SUMMARY OF RECOMMENDATION

- 1.1 APPROVE – Subject to a Section 106 Agreement of £1,219,272, relating to additional secondary school places and highway works towards completion of the South East Major Transport Scheme; and conditions. Full details are set out at paragraph 4.1.**

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 The proposal is in the form of a hybrid planning application. Its submission follows pre-application consultation undertaken between the applicant and the Council. It is considered that the final scheme responds appropriately to representations made during the pre-application process.
- 2.2 Detailed assessment of the application finds that the proposed development corresponds with the Council's overarching housing growth strategy, as set out in the Core Strategy and Local Plan Part 2. Delivery of a high quality housing led development will be secured, focussed on land that is allocated for housing, to the south of Haslingden Road, adjacent to Fishmoor Reservoir, Blackburn. Moreover, from a technical point of view, all issues have been addressed through the application or are capable of being controlled or mitigated through planning conditions and a Section 106 Agreement.
- 2.3 Given the scale of the proposed development, it is prudent to consider it in the context of Environmental Impact upon the wider area. It has, therefore, been screened, in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations') and supporting Planning Practice Guidance (PPG).
- 2.4 As an application for 310 dwellings, it falls to be screened under Schedule 2 of the EIA Regulations. Schedule 2 development requires an EIA if it would be likely to have significant effects on the environment.
- 2.5 The proposed development falls within category 10 of Schedule 2, 'Infrastructure Projects', sub-section (b) 'Urban Development Projects'. The thresholds for residential developments, as set out in Schedule 2, relate to developments that include 'more than 150 dwellings'. The proposed development is for 310 dwellings, above the threshold. It, therefore, requires further screening to determine whether there would likely be significant effects, either from the development in isolation or cumulatively when considered with other development in the vicinity. To achieve this, Schedule 3 of the EIA Regulations and the PPG need to be considered. Schedule 3 sets out the following selection criteria:
- The characteristics of the development;
 - The location of the development; and
 - The potential impact.

These factors are considered collectively, as part of the screening process. Taking each in turn:

2.6 Characteristics

The development is considered entirely responsive to the surrounding area with particular reference to scale and massing and to the benefits of brownfield redevelopment.

2.7 Technical studies confirm that the development will not cause any significant risk to human health or nuisances, subject to identified and proportionate mitigation.

2.8 Potential for major accidents or disasters with reference to flood risk has been considered through review of a Flood Risk Assessment which takes account of the proximity of the Fishmoor Reservoir to the development. The FRA concludes no significant flood risk. In this context, the reservoir is a water body subject to strict control under the Reservoirs Act 1975. Moreover, the site layout appropriately responds to the position of the reservoir.

2.9 Location

The development is evidently not located in an environmentally sensitive location and is consistent with the existing residential character of the area.

2.10 Potential Impact

Construction phase impact will typically relate to waste, noise, vibration and dust arising from construction activities and construction traffic. These impacts are temporary and will be appropriately managed by adherence to a Construction and Environmental Management Plan.

2.11 No significant cumulative impacts are considered to arise from the development and ongoing / committed development in the locale.

2.12 Operational phase impact will essentially be limited to noise and emissions arising from domestic car travel. Air quality impact arising from emissions is considered acceptable, subject to proportionate mitigation, following assessment of technical reports.

2.13 Accordingly, it is not considered that the proposed development gives rise to the need for an EIA.

3.0 RATIONALE

3.1 Site and Surroundings

3.2 The application site (the site) is currently Council owned and allocated for housing. It is identified as Site 16/7 – Haslingden Road Development Site (SE Blackburn), in accordance with Policy 16 of the Local Plan Part 2.

- 3.3 The site is located within Blackburn's Outer Urban Area, positioned to the south of The Royal Blackburn Hospital and north of Fishmoor Reservoir, off Haslingden Road. It comprises circa 6.7 hectares of open grassland, which is relatively consistent in level. A Public Right of Way (PRoW) runs across the site, linking Haslingden Road at the north east corner of the site with Britten Close to the west.
- 3.4 The area surrounding the site is defined by its mixed character. Development to the south, east and west comprises informal residential street patterns, of mainly semi-detached and detached house types. A modest element of apartment provision adjoins the site to the east. To the north of the site is the Royal Blackburn Hospital. Large scale industrial / commercial uses dominate the north side of Haslingden Road which serves as a primary route into Blackburn from the nearby M65 junction, to the east.
- 3.5 The site benefits from good accessibility with a selection of public transport hubs in close proximity. The nearest bus stop is located 10meters from the site on Haslingden Rd (A6077), providing regular and frequent bus services into the centre of Blackburn, specifically the train station and further afield into the Ribble Valley. This gives the site accessibility to the local, regional and national transport networks, and thus provides opportunities for modes of transport other than the car.
- 3.6 The site is located in a highly sustainable location with excellent access to the rest of the North West region via Haslingden Road (A6077) and onto the M65. Within 600m of the site lies the local, newly constructed Newfield School and Blackburn Central High School. Additionally, Audley Junior School and Nursery is located within 800m.
- 3.7 Other community facilities such as a variety of eateries, royal hospital, shops, leisure facilities and religious establishments are all located within 800m of the site. Due to the site's close proximity to services and public transport, reliance on the private car will be reduced which can only have a positive impact on the environment and peoples wellbeing.
- 3.8 The site is also located near a National Cycle Route (National Cycle Route 6), which provides sustainable links to the surrounding areas. On top of this, a local route from the site to Queens Park is available. This could be added to by cycle route on site. These multiple routes encourage people to use push bikes and walk to various amenities and workplaces as an alternative to private car use.
- 3.9 The following contextual analysis plan below illustrates the sites position in relation to the distribution of local amenities (Design & Access Statement, Keepmoat Homes, Baldwin Design, Dec 2021):

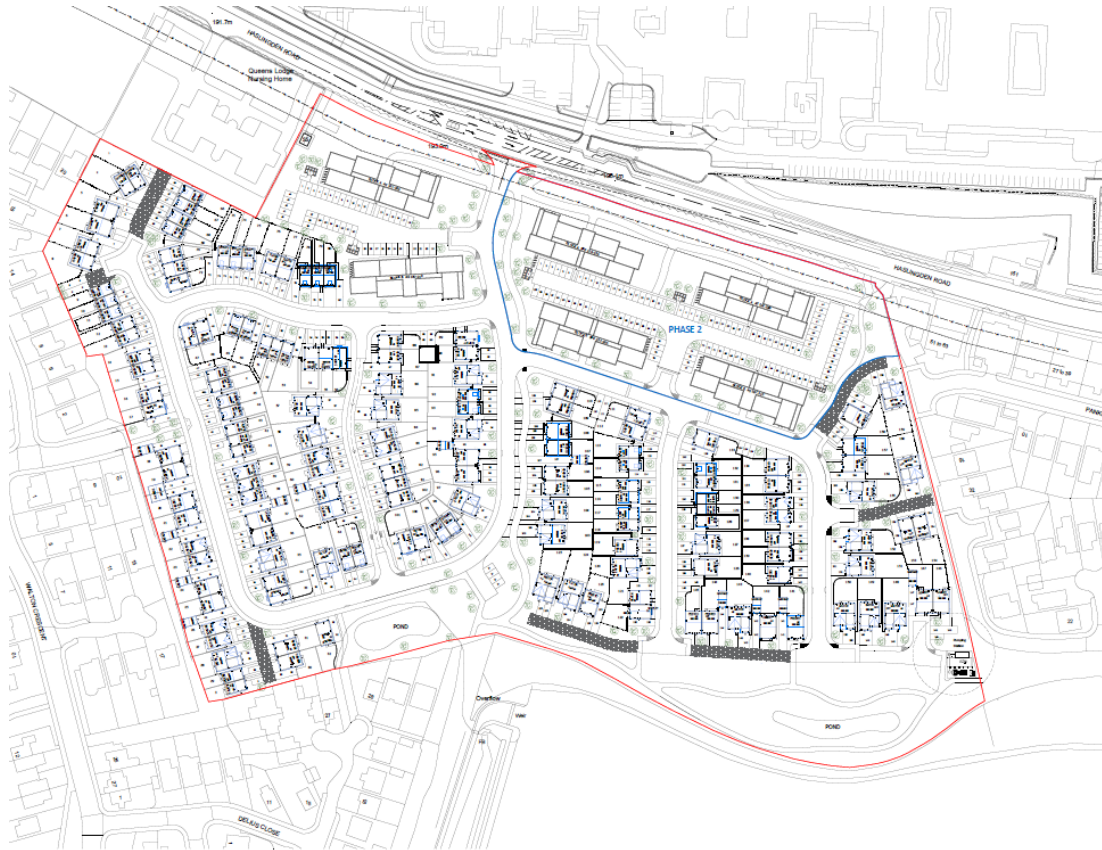


KEY	
● Shopping Facilities (i.e. shops, convenience stores and other commercial facilities);	● Eateries (i.e. Restaurants, pubs, cafés and diners);
● Medical Facilities (i.e. doctors surgeries, pharmacies, dentists and hospitals);	● Post Offices (including those within convenience stores);
● Education (i.e. pre-schools, primary schools, secondary schools, colleges and universities);	● Leisure facilities (includes indoor and outdoor recreational, sport facilities & parks)
● Bus Stops	— National Cycle Network Route 6

3.2 Proposed Development

3.2.1 The proposal is submitted as a hybrid planning application, seeking full permission for the erection of 160 dwellings and 50 apartments in two blocks together with access roads and landscape treatment (Phase 1); and outline permission for the erection of 100 apartments in four blocks with all matters reserved except for access (Phase 2). A subsequent Reserved Matters application would consider the detail of this element of the proposal.

3.2.2 Access is proposed from the south side of Haslingden Road. Communal open space is included along most of the southern periphery, including landscaping, drainage attenuation ponds and connective paths. The space takes advantage of views to the south of West Pennine Moors which feature Darwen Tower and a landmark building. The proposed site layout is below (Site Layout, Keepmoat Homes).



3.2.3 Average net density across the site equates to circa 48 dwellings per hectare. This takes account of land developed for housing, highway infrastructure, private gardens and private parking.

3.2.4 The proposed apartments will be secured as 'affordable housing' for keyworkers directly linked to the Royal Blackburn Hospital. The proposed houses will be open market provision. Typical street scenes, apartment types and the accommodation schedule are set out below (Design & Access Statement, Keepmoat Homes, Baldwin Design, Dec 2021):



Street Scene 1-1
1:200



Street Scene 2-2
1:200



Street Scene 3-3
1:200



Locator NTS



Looking South towards phase 1 Apartments and the Feature Gateway.



Looking South down the Feature Gateway & Boulevard.

House Types	Bed No.	Sq. Ft.	Quantity
Fairfield	2	680	10
Abbey	2	681	5
Danbury	3	832	6
Shipley	3	952	9
Dorchester	3	880	13
Raven	3	960	15
Henbury	3	1026	16
Bamburgh	3	1051	16
Stratton	3	1061	11
Milford	4	1271	11
Preston	4	1160	17
Lambeth	4	1160	15
Eaton	4	1278	16
Block A - Kurne*	2	690	26
Block B - Kurne*	2	690	24
		Total:	210

3.3 Development Plan

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

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

3.3.3 Core Strategy

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

3.3.4 Local Plan Part 2 (LLP2)

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

3.4 **Other Material Planning Considerations**

3.4.1 BwD Residential Design Guide Supplementary Planning Document (2015)

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

3.4.2 BwD Green Infrastructure (GI) & Ecological Networks SPD (2015)

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

3.4.3 BwD Planning for Health SPD (2016)

This document provides guidance on how our environment and planning decisions impact upon the health of the borough's population and how those impacts may be managed and mitigated.

3.4.4 Air Quality Planning Advisory Note

3.4.5 National Planning Policy Framework (The Framework) (2021)

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

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

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

3.4.6 National Planning Policy Guidance (NPPG).

3.5 **Assessment**

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

- Principle of the development;
- Amenity impact;
- Environmental impact;
- Highways and access;
- Design and layout;
- Planning Gain / Section 106 contributions: Affordable Housing, GI and Education.

3.5.2 The principle of residential development is considered under the Blackburn with Darwen Core Strategy (particularly Policies CS1 and CS5) and Local Plan Part 2: Site Allocations and Development Management Policies (particularly Policy 16 – Housing Land Allocations). The sites housing allocation establishes the principle of housing led development, in accordance with Policy 16/7 of Local Plan Part 2 (LPP2).

3.5.3 Core Strategy Policy CS1 explains that the overall planning strategy for the Borough is one of 'Targeted Growth' and identifies a need for '*a limited number of small scale urban extensions*'.

3.5.4 Policy CS5 directs that the preferred location for new housing, where market conditions permit its delivery, will be the inner urban areas of Blackburn and Darwen.

3.5.5 Policy CS7 encourages the development of a full range of new housing over the life of the Core Strategy in order to widen the choice available in the local market.

3.5.6 Policy 1 of the Local Plan states that the defined Urban Area is to be the preferred location for new development. Development in the Urban Area will

be granted planning permission where it complies with the other policies of this Local Plan and the Core Strategy. The site is located within the urban area boundary defined on the proposals map.

3.5.7 Policy 7 on Sustainable and Viable Development echoes the presumption in favour of sustainable development set out in The Framework. Thus, applications that accord with policies in the Local Plan will be approved without delay unless material considerations indicate otherwise.

3.5.8 The site specific Policy 16/7 applies an estimated yield of 140 houses for the site, of which 105 are expected to be delivered by March 2019. Considered in the context of the 310 homes proposed, it is important to acknowledge reference to an estimate only. The policy does not preclude more than 140. Moreover, 150 of the additional homes (of the 310 total) are apartments which will be appropriately limited to the front of the site and amounting to a minority overall land occupancy. That the apartments will provide accommodation for priority keyworkers at the Royal Blackburn Hospital, adds further weight in favour of the number of homes proposed beyond the estimated yield set out in the policy. Securing apartments as priority keyworker accommodation will be subject to a legal agreement between a nominated 'Registered Provider' (RP), the applicant and the Council, separate to the planning process. The RP will manage the apartments upon their completion.

3.5.9 Other key development considerations set out in the policy are as follows:

1. The SFRA identifies that the site has a low risk of surface water flooding, although some localised shallow ponding is indicated.
2. Consideration will need to be given to the potential for flooding from Fishmoor Reservoir.
3. Incorporation of appropriate measures to control surface water run-off.
4. Access to the site is to be obtained off Haslingden Road.
5. Contribution towards improvements to local highways network in the locality
6. Potential ecological impacts should be considered due to the greenfield nature of the site and its proximity to Fishmoor and Guide Reservoirs. Mitigation measures for habitat loss should be met in the local area.

3.5.10 Policy 18 of LPP2 concerns itself with Housing Mix. The policy requires detached and semi-detached housing to be the principle element of the dwelling mix on any site that is capable of accommodating such housing and where such housing would make a positive contribution to the character of the local area.

3.5.11 The policy applies a limitation on apartment development for the general market, directing that such provision will only be acceptable where it is the most appropriate form of housing given the local context or characteristics of the site.

3.5.12 Considered in the context of Policy 18, the proposal is broadly consistent with the requirement for the principle housing mix to be detached and semi-

detached. Although a broadly equivalent number of homes are proposed in apartment form, the principle land occupancy of the site would be one of family homes. Moreover, apartment provision is not inappropriate when considered against the wider local context, where apartments exist within the housing estate to the immediate east of the site, and within the Royal Blackburn Hospital complex on the opposite side of Haslingden Road. Circumstances unique to the site, being in close proximity to the hospital and the evident demand for 'affordable' hospital worker accommodation, rather than open market availability, also adds significant weight in support of the principle of apartments.

3.5.13 Detailed assessment of the above key considerations (bullet points 1 to 6), is set out relative to the specific policies to which they relate, in the continued assessment.

3.5.14 Policies CS21 and 12 require new development to contribute towards mitigating its impact on infrastructure and services, through a Section 106 planning obligation. The proposal secures financial contributions towards highway improvements and education provision, as set out at paragraph 4.1. As noted above, priority hospital worker apartments are secured as affordable on site housing, negating the need for a financial contribution in this regard.

3.5.15 Accordingly, as a proposal delivering an appropriate mix of homes, on a site allocated for housing, inclusive of mitigating s106 contributions, the principle of the development is found to be entirely acceptable, in accordance with the provisions of the Development Plan and The Framework.

3.5.16 Amenity

Policy 8 requires development to contribute positively to the overall physical, social, environmental and economic character of the area. It is also required to secure a satisfactory level of amenity and safety is secured for surrounding uses and for occupants or users of the development itself; with reference to noise, vibration, odour, light, dust, other pollution or nuisance, privacy / overlooking, and the relationship between buildings

3.5.17 Relationship between buildings:

With reference to separation between proposed and existing dwellings adjacent to the site, the submitted layout demonstrates broad compliance with the Council's adopted separation standards of 21m between primary *facing* windows and 13.5m between primary windows and blank elevations. This follows an amendment to the original layout addressing conflict arising from sub-standard levels of privacy between proposed dwellings along the western and southern edge of the site and existing dwellings at nos. 8, 16, 18 & 20 Britten Close and southern 25 Delius Close. The amendment is considered to adequately address those concerns, specifically conflict between proposed rear habitable windows and habitable side windows at no. 20 Britten Close and between rear conservatories at nos. 8 and 16 Britten Close, and 25 Delius Close. It is, however, recognised that the separation between rear windows at plot 8 and the conservatory to the rear of 16 Britten Close may represent a marginal sub-standard interface, by circa 1m. The relative angles

involved are, however, considered to justify this marginal relaxation in standard. Relevant extracts from the original layout and the amendment are show below (Site Layout, Keepmoat Homes).



- 3.5.18 The relationship between the proposed dwelling at plot 3 and no. 23 Delius Close is considered acceptable, having regard to the absence of ground or first floor habitable room windows in the rear of the two storey side extension to the dwelling which sits adjacent to plot 3, and the northerly orientation of plot 3 which guards against overshadowing to the rear garden of no. 23. Moreover, it is considered that the position of the proposed gable at plot 3, although in proximity to the common boundary, would not result in an unacceptable degree of dominance or enclosure of no. 23's garden space, given its reasonably spacious nature and the otherwise unencumbered outlook to the opposite side and rear.
- 3.5.19 Separation between proposed dwellings within the site is broadly compliant with the adopted standards. Shortfalls do, however, exist between a number of plots. In this context, it should be recognised that the Residential Design Guide SPD, at Policy RES 2G, supports a relaxation of the adopted standards where an alternative approach is justified. As proposed-to-proposed separation and having regard to The Frameworks presumption in favour of sustainable development as well as the developments viability, such relaxation is considered justified in this instance.
- 3.5.20 Adequate external space is provided for each house to serve the needs of householders, with reference to amenity and refuse storage. Submission of additional refuse storage details for the apartments is recommended by the Council's Cleansing consultee. Details will be secured via condition.
- 3.5.21 Noise:
A Noise Impact Assessment has been submitted with the application and reviewed by the Council's Public Protection consultee. It is recommended that noise mitigation measures identified in the assessment, ie acoustic glazing, are implemented prior to occupation of the development and thereafter retained. Such measures will be secured via condition.
- 3.5.22 The Council's Public Protection consultee has questioned noise impacts arising for occupiers of apartments which benefit from an open ended balcony. The applicant's noise consultant has provided sufficient justification to support these apartments without the need for further assessment / mitigation measures, recognising that no balconies will be on the noisiest north elevation facing Haslingden Road and that they will be limited to one on each floor and on a single side of the building (west elevation). Taking into account the measured road traffic noise levels at the proposed northern elevations of the apartment buildings and a correction for the restricted angle of view, it is anticipated that noise levels would be within the tolerance levels advocated by British Standard 8233:2014 guidance.
- 3.5.23 Noise arising from the proposed Pumping Station has also been questioned. The pumping station will be underground and located no closer than the standard minimum distance of 15m from a dwelling, to minimise the risk of odour, noise and nuisance, in accordance with published Sewer Sector Guidance, Appendix C, March 2020.

3.5.24 Contaminated Land:

Phase 1 and 2 reports have been submitted with the application. They are yet to be fully reviewed. It is, therefore, anticipated that the Council's standard contaminated land conditions will be applied to secure submission of any necessary additional site investigation and a remediation strategy. Public Protection's review of the information submitted to date will be represented in a subsequent update report.

3.5.25 Air Quality:

An Air Quality Impact Assessment (AQIA) has been submitted with the application and reviewed by the Council's Public Protection consultee. Review of the assessment finds that impacts arising from local committed development (ie development yet to be completed that benefits from planning permission) has not been adequately addressed. Therefore, submission of a revised AQIA is recommended or, alternatively, application of conditions aimed at mitigating air quality impact. The condition approach is considered reasonable and proportionate in this case, taking account that the site is allocated for housing. Recommended conditions are summarised as follows:

- Limitation on gas boiler emissions;
- Submission of a Green Travel Plan;
- Dust Control Measures; and
- Electric vehicle charging points for all dwellings with a dedicated parking space(s).

3.5.26 Gas boiler emissions, compliance with an already submitted 'Framework Travel Plan' and dust control measures - contained within the submitted Construction and Environmental Management Plan (CEMP) – will be secured via condition. Electric vehicle (EV) charging points are currently only proposed to be installed with dwellings that benefit from a garage, as well as a proportionate number for users of the apartments. However, given the identified issues with the AQIA, it is considered that Public Protection's recommendation for all dwellings to benefit from charging points is reasonable. Submission of an EV charging scheme for all dwellings will, therefore, be secured via condition.

3.5.27 Construction Phase:

The submitted CEMP is considered to adequately address / mitigate environmental impact arising during construction, including but not limited to control of noise, vibration, dust emissions and highway cleansing / wheels washing. Compliance will be secured via condition attached to the full permission. Submission of a revised CEMP will be attached to the outline permission, to cater for construction of the Phase 2 apartments.

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

3.5.29 The development is considered to make an overall positive contribution to the area, through introduction of a proportionate housing led development, at a site allocated for such, which includes retention and provision of trees and

hedgerows, provision of greenspaces, wetlands and opportunities for biodiversity enhancement.

3.5.30 Accordingly, it is found that satisfactory levels of amenity and safety would be secured for existing and future residents. The development is also considered to contribute positively to the overall physical, social, environmental and economic character of the area, in accordance with the requirements of Policy 8, The Masterplan and The Framework.

3.5.31 Environment

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

3.5.32 A Flood Risk Assessment (FRA) and drainage strategy is submitted with the application, notwithstanding that the site lies entirely within Flood Zone 1 (low risk) which have been reviewed by the Councils Drainage consultee, as Lead Local Flood Authority and United Utilities (UU). The FRA concludes that there is a low risk of flooding from fluvial sources. Focus is, therefore, on the management of surface water runoff arising from the development.

3.5.33 The FRA recognises that discharge of surface water to the ground is unlikely to be a feasible solution due to the composition of the underlying soil strata. In accordance with the drainage hierarchy, the next most sustainable solution is discharge to a water body. The nearest potential point of discharge is the overflow channel from the reservoir but United Utilities regard this as an unsuitable option. A connection to Higher Croft Brook (ordinary watercourse) to the south of the site is not practical. As an alternative UU has confirmed that it is possible to connect to the neighbouring public sewer network through four separate points of connection. At each point of connection the flow will need to be restricted and, as a consequence, there is a need for a considerable detention volume on the site. Consequently, surface water detention is to be provided by way of SuDS ponds along the southern margin of the site. These form an integral part of the greenspace next to the reservoir and provide multiple benefits. Not only are they essential to the management of surface water but they also provide attractive visual features and diversification to the range of habitats for wildlife across the completed development.

3.5.34 Assessment of flood risk and proposed mitigation thereof is consistent with the explicit policy requirement. The Council's Drainage consultee, as Lead Local Flood Authority, offers no objection to the proposed drainage methodology, subject to securing precise details of the attenuation ponds and a management and maintenance strategy for the lifetime of the surface water drainage system, via conditions.

3.5.35 UU noted that the details originally submitted do not adequately confirm that their assets will be protected. The applicant has subsequently confirmed the exact location of a significant water main running through the southern section of the site so that the implications for the proposed works are fully understood.

Additionally, UU recommend a condition to secure a foul and surface water drainage scheme, notwithstanding the details already submitted, due to the possibility of a necessary amendments relative to the water main. They also recommend a management and maintenance scheme via condition.

3.5.36 Local representation references the existence of a drainage ditch / watercourse at the rear of Walton Crescent, to the west of the site, and how it may be impacted by the development. It is confirmed that the ditch is outside of the development confines, within alternative land ownership. Its retention is, therefore, secured, along with the retention of other watercourses crossing the site. The applicant is advised that any works to or adjacent to a watercourse requires consent under the Land Drainage Act and that the development should not give rise to any pollution of the watercourse. Such advice will be secured by an informative.

3.5.37 Ecology:

An Ecological Impact Assessment; a Biodiversity Net Gain Metric Calculation; and a landscape scheme have been submitted with the application and reviewed by the Council's ecology consultee (GMEU).

3.5.38 It is confirmed that the assessment has used reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance (Section 41, NERC 2006 [Natural Environment & Rural Communities Act]), notwithstanding that it was conducted during a sub-optimal time (November) and that it is nearly 18 months old. It is, however, recognised that the nature of the habitats present on site should not invalidate the findings of the assessment.

3.5.39 It is recommended that the following matters are secured via conditions:

- Protection of retained hedgerows and trees;
- Reasonable Avoidance Measures relating to tree, shrubs and undergrowth clearance (outside of the breeding season – March to August inclusive; and supervision of dense scrub / vegetation clearance by an Ecological Clerk of Works;
- Submission of a design and external lighting scheme;
- Submission of an amended boundary detail plan to cater for small mammals / amphibians by way a gaps at the foot of fences, to aid ecological permeability;
- Submission of planting specification around the two attenuation ponds and pond planting and replacement species planting, as specified in GMEU's comments, notwithstanding the submitted landscaping details;
- Submission of Biodiversity Enhancement Plan to include provision of bat / bird boxes or informal hibernacula for common amphibians/reptiles; and
- Submission of a Landscaping and Environmental Management Plan for a period of 30 years minimum.

3.5.40 Trees / Landscaping:

No protected trees are located within or immediately adjacent to the site. The Council's Arboriculture consultee offers no objection, following review of the submitted Tree Survey and Landscaping Strategy. The submitted detail to date indicates that trees and hedgerows within the site are to be retained. Significantly, this includes the hedgerow along the Haslingden Road frontage and that to the western boundary. Submission of a detailed Arboricultural Impact Assessment / Method Statement and Tree Protection Plan is, however, required to fully inform the outcome, which will be secured via condition.

3.5.41 The detailed Landscaping Strategy submitted with the application includes planting of a range of native and non-native species across the site. The range of planting is considered generally adequate mitigation, subject to the above amendments recommended by GMEU. Implementation of landscaping during the first available planting season after completion of the development will be secured via condition.

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

3.5.43 Highways / Access and Transport

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

3.5.44 A Transport Assessment (TA) is submitted with the application which has been reviewed by the Council's Highways consultee who, in the context of the sites housing allocation, is satisfied that the traffic impact of the proposal on the local highway network, in general, would not be excessive. The sites highly sustainable location is recognised in this context, with easy access to bus routes and a range of local amenities. All issues arising from review of the TA have been proportionately and satisfactorily addressed by the applicant.

3.5.45 Vehicular access into the site is to be taken from Haslingden Road. A new bellmouth will be created including a right turn egress. A formalised pedestrian crossing point over Haslingden Road will also be provided. These works will be delivered in accordance with a 278 improvement scheme, at the developers cost, to be undertaken by the Local Highway Authority from design to implementation. Works will be secured via condition attached to the full permission.

3.5.46 The layout of the development is orientated around a main spine road which connects to Haslingden Road. This is the only point of connection. The spine road is broadly on a north to south alignment and is conceived as a reasonably broad tree lined street. The position, width and character of this spine combine to form a view corridor through the site towards the reservoir

and Darwen Tower in the distance. This is a key feature of the site. The internal road network connects to this spine to form a series of street blocks. Care has been taken to ensure that there is an active and interesting outer edge to each street block. Houses are orientated to front onto streets and to overlook key greenspaces. The outcome is a clear and legible grid of streets through the development that allow for the safe and efficient movement of traffic.

- 3.5.47 The internal road layout broadly conforms with the Councils requirements for adoption, in terms of carriageway and footway width. A swept path analysis confirms appropriate manoeuvrability for refuse vehicles with the exception of the one-way street running north to south through the site, entering at plots 56 and 88 and exiting at plots 63 and 101. The 3m width is marginally sub-standard by circa 500mm when assessed against the tracking of refuse vehicles. An increase in width would, however, unacceptably impact of separation distances between dwellings. Moreover, its one-way status negates any significant concern.
- 3.5.48 The movement of pedestrians and cyclists through the site is given appropriate attention. Along Haslingden Road there is pedestrian and cycle access at two points – at the north eastern corner of the site and alongside the vehicular access. There are also connections for pedestrians at the other edges of the site. On the eastern side there will be a pedestrian link to the existing housing neighbourhood and along the southern boundary the path network will lead from the development onto the recreational routes around the reservoir. There is also a pedestrian link along the western margin to form a link to Sullivan Drive. Opportunities for additional pedestrian connection to the housing development to the east are constrained by land outside of the applicant's ownership.
- 3.5.49 The development proposes a mix of 2, 3 and 4 bed homes. Off-street parking is provided for every plot, which is broadly in accordance with the Council's adopted standards (including dimensions) of 2 spaces for 2 & 3 beds and 3 spaces for 4 beds.
- 3.5.50 Of the 160 houses proposed, 27 (11 Milford and 16 Eaton) benefit from an integral garage which accord with the benchmark standard of 3m x 6m.
- 3.5.51 In-curtilage parking provision for proposed houses is, therefore, considered acceptable.
- 3.5.52 The 2 apartment blocks proposed under the full permission, comprising 50, 2 bed apartments, will be served by 44 spaces. This represents a shortfall of 56 spaces, when assessed against the benchmark standard of 100 (2 spaces per 2 bed apartment). The unique circumstance that the apartments will be exclusively occupied by priority workers for the Royal Blackburn Hospital, together with their highly sustainable location on a main road served by bus routes, is considered to warrant a significant relaxation in the parking standard.

3.5.53 Full engineering details of carriageways, and street lighting will be secured via condition.

3.5.54 Overall, the development will be well integrated into its setting from an highways accessibility perspective, being well connected to existing routes and existing development.

3.5.55 A Public Right of Way runs through the site, linking Haslingden Road with Britten Close. Defined as footpath 101 Blackburn, it will require a Diversion Order to accommodate the development and a temporary closure before any works commence on site, as acknowledged by the Councils PRow consultee. The matter is to be addressed by the applicant, as confirmed by an informative to be attached to the permission.

3.5.56 A financial contribution is secured via Section 106 towards completion of the South East Major Transport Scheme and other transport improvements and initiatives.

3.5.57 Measures contained within a Framework Travel Plan submitted in support of the application will be secured via condition.

3.5.58 Submission of the above noted CEMP will address highway impacts arising from construction, including wheel wash and road cleansing. Adherence will be secured via condition attached to the full permission. A revised CEMP will be secured via condition attached to the outline permission, to provide for the construction of the other four apartment buildings.

3.5.59 Accordingly, highway impacts arising from the development are found to be acceptable and in accordance with the requirements of Policy 10 and The Framework.

3.5.60 Design / Character and Appearance

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

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

- 3.5.61 A Design and Access Statement is submitted with application. This sets out key design principles of the development, following analysis of the surroundings, including specific character traits of existing built form, in response to policy and general design requirements. The layout is also heavily influenced by a Development Brief produced on behalf of the Council, confirming its key design and planning requirements for prospective developers, in support of the 'Invitation to Tender' stage of the process.
- 3.5.62 One of the key design features of the layout is the creation of a prominent gateway access from Haslingden Road leading on to a green corridor running through the approximate centre of the site, exposing views of Darwen Tower to the south and linking to a wildlife corridor / public realm area along the sites southern edge which will feature a range of planting and two drainage attenuation basins. It will also include 4 parking bays for visiting members of the public who wish to benefit from the amenity.
- 3.5.63 The layout will generally benefit from a connective ecological and green infrastructure network, including elements of tree lined streets and creation of areas of habitat. As previously noted, a comprehensive site wide landscaping strategy will be implemented, in order to integrate the development into its natural surroundings.
- 3.5.64 Layout of the developed area demonstrates a positive relationship between buildings. Open spaces are appropriately overlooked by nearby houses, thereby providing a degree of natural surveillance. Overall the layout provides for a cohesive and legible arrangement, broadly consistent with the prevailing residential pattern of the wider local.
- 3.5.65 Proposed apartments will front Haslingden Road, their scale a response to the scale and mass of hospital buildings opposite and the general defining character along the northern side of the Haslingden Road corridor. A landscape corridor along the frontage will provide a visual sense of relief from the built form. Apartment Block A, sited closest to the road diminishes in scale from 4 storey's down to 2 in response to the 2 storey care home to the immediate west. Materials will broadly reflect those used in domestic buildings which straddle the site. Apartments A & B proposed under the full element of the hybrid application are illustrated below (Design & Access Statement, Keepmoat Homes, Baldwin Design, Dec 2021). Note that proposed materials are represented by Apartment A, shown immediately below.



* Elevations & CGI supplied by MCK



3.5.66 Proposed dwellings are designed with a degree of articulation and interest, through inclusion of a mixed palette of materials, including brick types and render. Their design is broadly complimentary with the residential surroundings. Example house types and materials are illustrated below (Design & Access Statement, Keepmoat Homes, Baldwin Design, Dec 2021).



3.5.67 Implementation of approved materials, indicated in the submitted Materials Schedule, will be secured via condition.

3.5.68 Boundary treatments will be appropriately robust brick walls to areas facing the public realm. Typical timber panelled fencing will otherwise delineate properties. Implementation of the submitted detail will be secured via condition.

3.5.69 Overall, the design of the development is found to be in accordance with the requirements of Policy 11, The Residential Design Guide SPD and The Framework.

3.5.70 Planning Gain / Section 106 Financial Contributions

A financial contribution of **£1,219,272** is secured, following agreement between the Council and the applicant, at pre-application stage. The contributions are completion of the SE Blackburn Major Transport Scheme, associated transport infrastructure improvements, sustainable transport initiatives including (but not limited to) subsidised public transport, traffic calming, providing a safer environment to encourage participation in active travel and improved walking and cycling routes; and towards the provision of additional Secondary School Places in the Borough.

Section 106 payments are broken down as follows, payable on commencement of the development:

Phase	Highways	Education	Monitoring Fee	Totals
Phase 1	£750,000 £500,000 payable on commencement; and £250,000 payable 1 year after commencement.	£207,200 Payable 1 year after commencement of Phase 1.	£9,572	£966,772
Phase 2	£250,000	N/A	£2,500	£252,500

3.5.70 Summary

This report assesses the hybrid planning application for the erection of 160 dwellings and 50 apartments, in two blocks, together with access roads and landscape treatment (Phase 1); and outline permission for the erection of 100 apartments in four blocks with all matters reserved except for access (Phase 2). In considering the proposal, all *material* considerations have been taken into account. The assessment demonstrates that the planning decision must be made in the context of assessing the merits of the proposal balanced against any potential harm that may arise from its implementation. This report finds that the proposal meets the policy requirements of the Blackburn with Darwen Core Strategy, Local Plan Part 2, Supplementary Planning Documents and the National Planning Policy Framework.

4 RECOMMENDATION

4.1 Approve subject to:

- (i) **Delegated authority is given to the Strategic Director of Place to approve planning permission, subject to an agreement under Section 106 of the**

Town & Country Planning Act 1990, relating to the payment of £312,922, including a monitoring fee of 3,098 (as set out at para 3.5.61).

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

(ii) The following conditions:

Full Permission

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

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

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the application received 22nd December 2021 and with the following drawings / plans / information: *(to be added)*.

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

3. The exterior of the buildings hereby approved shall be constructed in strict accordance with the materials specified in the submitted Materials Schedule, received 1st April 2021.

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

4. The development hereby approved shall be completed in strict accordance with the submitted Material and Boundary Treatment plan, Ref. KMH.W.DR.A.3000 Rev J, Boundary Treatment plan, Ref. 4077-BTD and Feature Brick Garden Wall with Piers plan, Ref. 4077-KHNW-FW.

REASON: To ensure that the external appearance of the development is satisfactory in accordance with Policy 11 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

5. Prior to commencement of the development hereby approved, the developer must submit to the Local Planning Authority for written approval:

i) A comprehensive desk study report, including a preliminary conceptual site model (CSM) in text, plan and cross-section form. Where necessary,

detailed proposals for subsequent site investigation should also be included, clearly based on the CSM.

ii) Findings of the approved site investigation work (where necessary), including an appropriate assessment of risks to both human health and the wider environment, from contaminants in, on or under the land (including ground gas). If unacceptable risks are identified, a remedial options appraisal and detailed remediation scheme should be presented, along with an updated CSM. No deviation shall be made from this scheme without the written agreement from the Local Planning Authority.

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

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

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

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

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

8. Construction phase of the development hereby approved 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.

9. Construction of the development hereby approved shall be carried out in strict accordance with the submitted Construction Environmental Method Statement, produced by Keepmoat Homes, Ref. 4077/CEMP, dated march 2022. All measures which form part of the approved details shall be adhered to throughout the period of construction.

REASON: In order to safeguard protected habitat; to avoid the deposit of debris into watercourse and onto the highway, in order to protect the amenity of the occupiers of the adjacent properties and in order to protect the visual amenities of the locality, in accordance with Policies 8, 9 and 10 of the Blackburn with Darwen Borough Local Plan Part 2.

10. Should pile driving works be required on site, prior to the commencements of those works, a programme for the monitoring of generated noise and vibration shall be submitted to and approved in writing by the Local Planning Authority. The programme shall specify the measurement locations and maximum permissible noise and vibration levels at each location. Noise and vibration levels shall not exceed the specified levels in the approved programme.

REASON: In order to safeguard neighbouring amenity, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

11. Noise mitigation measures specified in Section 4.0 'Noise Assessment & Mitigation Scheme' (4.4 – 4.12 inc.) of the Hepworth Acoustics Report, No. P21-571-R01v1 (December 2021), shall be implemented in full prior to operational use of the development hereby approved and shall be so retained.

REASON: In order to safeguard residential amenity, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

12. Prior to commencement of any above ground works hereby approved, and notwithstanding the submitted details, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing provision of an electrical vehicle charging point at each dwelling. The approved scheme shall be implemented prior to first occupation of the development.

REASON: In the interests of air quality management and protection of health, in accordance with Policies 8 and 36 of the Blackburn with Darwen Borough Local Plan Part 2.

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

REASON: In the interests of improving air quality and to protect the health of resident, in accordance with Policy 36 of the Blackburn with Darwen Borough Local Plan Part 2.

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

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

15. Prior to the commencement of any above ground works and notwithstanding the submitted details, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to an approved in writing by the Local Planning Authority. The drainage schemes shall be in accordance with the hierarchy of drainage options in the national planning practice guidance (or any replacement thereof) and the principles set out in the submitted Flood Risk Assessment and Drainage Strategy (prepared by Betts Hydro, ref. ER18, October 2019). The drainage schemes shall include:

- (i) A restricted rate of discharge of surface water agreed with the local planning authority;
- (ii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iii) Foul and surface water shall drain on separate systems;
- (iv) Details of how existing surface water flood risk will be managed and mitigated;
- (v) Details of the proposed foul water pumping arrangements; and
- (vi) Details of the attenuation ponds including cross section drawings and volumes.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and no surface water shall discharge to the public sewer either directly or indirectly. The approved drainage schemes shall be implemented in full prior to the occupation of the first dwelling, maintained and managed in accordance with the approved details, and retained thereafter for the lifetime of the development.

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

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

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

(ii) 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 and 36 of the Blackburn with Darwen Borough Local Plan Part 2.

17. No site clearance or demolition or construction works on site shall be carried out during the bird nesting season (March to August), unless the absence of nesting birds has been confirmed by further survey work or on-site inspections

REASON: To ensure the protection of nesting birds, in accordance with the requirements of Policies 9 and 40 of the Blackburn with Darwen Local Plan Part 2.

18. Prior to commencement of any site works, an Arboricultural Method Statement, including a Tree Removal Plan as necessary and a Tree, Hedgerow, and Scrub (peripheral to the reservoir) Protection Plan, shall be submitted to and improved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved detail. Specified tree and hedgerow protection measures shall be adhered to throughout the period of construction.

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

19. Prior to commencement of any above ground works hereby approved, a Biodiversity Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall provide for the following:

- Small mammal / amphibian gaps of 130mm x 130mm in the footing, concrete pad or gravel board of the 1.8m feathered board fencing, notwithstanding the type and position of such referenced at condition no. 4; and
- Bat or bird boxes, or informal hibernacula for common amphibians/reptiles.

The development shall be completed in strict accordance with the approved strategy.

REASON: To provide appropriate mitigation against ecological impacts arising from drainage, in accordance with the requirements of Policies 9 and 40 of the Blackburn with Darwen Local Plan Part 2.

20. The development hereby approved shall be implemented in strict accordance with the 'Landscape Masterplan' ref. LDS507-04A 1 & 2, Planting Plan 1 of 3 ref. LDS507-01A, Planting Plan 2 of 3 ref. LDS507-02A, and Planting Plan 3 of 3 ref. LDS507-03A, as prepared by Landscape Design Solutions (NW) Ltd, Dec 2021. Planting shall be carried out during the first available planting season following completion of the development, 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.

21. Notwithstanding landscaping details approved under condition no. 20, a planting scheme, including a planting timetable, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail additional provision of suitable marshy grassland seeding to the sloped edges of and aquatic native species within the approved drainage attenuation ponds. Planting shall be carried out in accordance with the approved scheme, and thereafter retained. Planting dying or becoming diseased, removed, or being seriously damaged within five years of planting shall be replaced by species similar to those originally required to be planted.

REASON: To provide appropriate ecological and biodiversity enhancement measures, in accordance with the requirements of Policies 9 and 40 of the Blackburn with Darwen Local Plan Part 2.

22. Prior to occupation of the development hereby approved, a Landscape and Environmental 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, subject to details approved under condition nos. 20 and 21, and it shall detail a programme of works including scheduled frequencies of weeding and watering as well as monitoring of habitats for a period of 30 years. The strategy shall be implemented in accordance with the approved detail upon completion of the development.

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.

23. Prior to the commencement of the development hereby approved, a comprehensive Habitat Creation / Biodiversity Enhancement Strategy and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be in accordance with the agreed details

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

24. Prior to the construction of any of the streets, full engineering, drainage, street lighting and constructional details of the streets shall be submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details.

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

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

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

26. Prior to occupation of the development hereby approved, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the following off-site highway works:

- Localised widening of the defined site access to provide a bellmouth entrance / exit, including a right turn exit lane; and
- provision of a formalised pedestrian crossing point across Haslingden Road.

The approved scheme shall be implemented prior to occupation of the development.

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

REASON: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policies 10 and 11 of the Blackburn with Darwen Borough Local Plan Part 2.

28. Measures contained within the submitted Travel Plan Framework, produced by CBO Transport ref. CBO-0717-006, Issue 2, dated 10/02/2022, shall be implemented upon occupation of the development hereby approved and be so retained unless otherwise agreed in writing by the Local Planning Authority.

REASON: To provide and promote sustainable transport measures and to minimise traffic flow, in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

29. Garages hereby approved shall only be used for the purpose of parking domestic vehicles and / or domestic storage. They shall not be externally altered or converted into habitable room space until and unless planning permission has been granted.

REASON: In order to retain sufficient off street parking spaces, in the interests of highway safety and efficiency, in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

30. Prior to occupation of the apartments hereby approved, and notwithstanding the submitted details, a refuse storage scheme shall be submitted to provide for the following bin storage for each apartment:

- A store to accommodate at least 3 x 1100 litre bins for non-recyclable waste, plus a further 5 x 1100 bins for glass, cans, plastic recyclables; and
- Adequate storage areas(s) for bulky waste items such as furniture, mattresses etc.

REASON: In order to secure adequate refuse storage for occupants of the apartments, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

Outline Permission

31. Details of the appearance, landscaping, layout and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

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.

32. Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.

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

33. The development hereby permitted shall take place not later than 2 years from the date of 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.

34. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposal received 5th January 2021 and drawings numbered: *to be added*.

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

35. Prior to commencement of the development hereby approved, the developer must submit to the Local Planning Authority for written approval:

- i) A comprehensive desk study report, including a preliminary conceptual site model (CSM) in text, plan and cross-section form. Where necessary, detailed proposals for subsequent site investigation should also be included, clearly based on the CSM.
- ii) Findings of the approved site investigation work (where necessary), including an appropriate assessment of risks to both human health and the wider environment, from contaminants in, on or under the land (including ground gas). If unacceptable risks are identified, a remedial options appraisal and detailed remediation scheme should be presented, along with an updated CSM. No deviation shall be made from this scheme without the written agreement from the Local Planning Authority.

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

36. Prior to occupation of the development hereby approved, a comprehensive Validation Report shall be submitted to and approved in writing by the Local Planning Authority. The Validation Report shall demonstrate effective remediation in accordance with the agreed

remediation scheme and updated CSM. All the installed remediation must be retained for the duration of the approved use, and where necessary, the Local Planning Authority should be periodically informed in writing of any ongoing monitoring and decisions based thereon.

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

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

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

38. Construction phase of the development hereby approved 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.

39. Prior to commencement of the development hereby approved, and notwithstanding details approved for Phase 1 of the development under condition 9, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall provide for the following:

- management of construction traffic;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in demolition and construction;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities, including a method statement outlining how the developer intends to use and manage the facility. The approved wheel wash shall be put in place at all vehicle access points onto the public highway when work commences and shall remain in operation throughout the period of development;
- measures to control noise and vibration;
- measures to control the emission of dust; and

- a scheme for recycling / disposing of construction waste. Not included in submitted CEMP

Construction shall proceed in strict accordance with the approved detail for the duration of the works.

REASON: In order to safeguard protected habitat; to avoid the deposit of debris into watercourse and onto the highway, in order to protect the amenity of the occupiers of the adjacent properties and in order to protect the visual amenities of the locality, in accordance with Policies 8, 9 and 10 of the Blackburn with Darwen Borough Local Plan Part 2.

40. Should pile driving works be required on site, prior to the commencements of those works, a programme for the monitoring of generated noise and vibration shall be submitted to and approved in writing by the Local Planning Authority. The programme shall specify the measurement locations and maximum permissible noise and vibration levels at each location. Noise and vibration levels shall not exceed the specified levels in the approved programme.

REASON: In order to safeguard neighbouring amenity, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

41. Noise mitigation measures specified in Section 4.0 'Noise Assessment & Mitigation Scheme' (4.4 – 4.12 inc.) of the Hepworth Acoustics Report, No. P21-571-R01v1 (December 2021), shall be implemented in full prior to operational use of the development hereby approved and shall be so retained.

REASON: In order to safeguard residential amenity, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

42. Prior to commencement of any above ground works hereby approved, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing provision of an electrical vehicle charging points for each dwelling. The approved scheme shall be implemented prior to first occupation of the development.

REASON: In the interests of air quality management and protection of health, in accordance with Policies 8 and 36 of the Blackburn with Darwen Borough Local Plan Part 2.

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

REASON: In the interests of improving air quality and to protect the health of resident, in accordance with Policy 36 of the Blackburn with Darwen Borough Local Plan Part 2.

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

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

45. Prior to the commencement of any above ground works and notwithstanding the submitted details, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to an approved in writing by the Local Planning Authority. The drainage schemes shall be in accordance with the hierarchy of drainage options in the national planning practice guidance (or any replacement thereof) and the principles set out in the submitted Flood Risk Assessment and Drainage Strategy (prepared by Betts Hydro, ref. ER18, October 2019). The drainage schemes shall include:

- (i) A restricted rate of discharge of surface water agreed with the local planning authority;
- (ii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iii) Foul and surface water shall drain on separate systems;
- (iv) Details of how existing surface water flood risk will be managed and mitigated;
- (v) Details of the proposed foul water pumping arrangements; and
- (vi) Details of the attenuation ponds including cross section drawings; and volumes thereof.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and no surface water shall discharge to the public sewer either directly or indirectly. The approved drainage schemes shall be implemented in full prior to the occupation of the first dwelling, maintained and managed in accordance with the approved details, and retained thereafter for the lifetime of the development.

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

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

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

(ii) 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 and 36 of the Blackburn with Darwen Borough Local Plan Part 2.

47. No site clearance or demolition or construction works on site shall be carried out during the bird nesting season (March to August), unless the absence of nesting birds has been confirmed by further survey work or on-site inspections

REASON: To ensure the protection of nesting birds, in accordance with the requirements of Policies 9 and 40 of the Blackburn with Darwen Local Plan Part 2.

48. Prior to commencement of any site works, an Arboricultural Method Statement, including a Tree Removal Plan as necessary and Tree / Hedgerow Protection Plan, shall be submitted to an improved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved detail. 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.

49. Prior to occupation of the apartments hereby approved, and notwithstanding the submitted details, a refuse storage scheme shall be submitted to provide for the following bin storage for each apartment:

- A store to accommodate at least 3 x 1100 litre bins for non-recyclable waste, plus a further 5 x 1100 bins for glass, cans, plastic recyclables; and
- Adequate storage areas(s) for bulky waste items such as furniture, mattresses etc.

REASON: In order to secure adequate refuse storage for occupants of the apartments, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

5 PLANNING HISTORY

5.1 No planning history exists for the site.

6 CONSULTATIONS

6.1 BwD Drainage (Lead Local Flood Authority)

LLFA have no objection but require the following conditions:

Prior to commencement of development, submission of design details for LPA approval, of the surface water drainage system, including volume and cross section details of the attenuation ponds.

Prior to occupation of the development, submission of a drainage maintenance and management scheme to be agreed and implemented.

6.2 BwD Public Protection

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

Condition – Noise Control Scheme

A noise control scheme shall be submitted to the Local Planning Authority (LPA). The scheme must be approved by the LPA, in writing, and all recommended noise control measures implemented prior to commencement of the approved use and thereafter retained for the duration of this use.

Reason: To prevent loss of noise amenity at residential premises.

Informative: The developer shall have regard to BS 8233: 'Sound Insulation & noise reduction for buildings – Code of Practice', in order to minimise the transmission of noise from the premises.

NB: Ventilation Scheme

The Environmental Protection Service cannot assess or validate the suitability of habitable room ventilation system(s) proposed for this development.

Condition: Pumping Station Noise Amenity Impact

Prior to the commencement of the development a BS4142 'Methods for rating and assessing industrial and commercial sound' assessment shall be submitted, in writing, to the Local Planning Authority (LPA) for the pumping station. The assessment and any noise control measures must be approved in writing by the LPA. All approved control measures shall be implemented before commencement of the approved use and retained for the duration of the use.

Reason: To ensure an acceptable standard of residential amenity.

Condition – Floodlighting (other than street lighting, as appropriate)

An outdoor floodlighting scheme shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The floodlights shall be installed in accordance with the agreed scheme and retained for the duration of the approved use.

Reason

To minimise potential loss of amenity due to intrusive light pollution affecting residents living in the vicinity.

Informative:

When assessing potential loss of amenity the Local Authority shall make reference to the lighting levels provided in 'Guidance Notes for the Reduction of Obtrusive Light' GN01 produced by The Institution of Lighting Professionals, available at: <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2020/>

NB: The proposed development is within an E3: Medium district brightness area.

Construction Phase Control Conditions

Condition – Hours of Site Works

There shall be no site operations on any Sunday or Bank Holiday nor on any other day except between the following times:

Monday to Friday 08:00 – 18:00 hours

Saturday 09:00 - 13:00 hours

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

Reason

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

Condition – Dust Control

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

Reason

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

Noise & Vibration Control

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

Condition

The commencement of the development shall not take place until there has been submitted to and approved in writing by the Planning Authority a programme for the monitoring of noise & vibration generated during demolition & construction works.

The programme shall specify the measurement locations and maximum permissible noise & vibration levels at each location. At each location, noise & vibration levels shall not exceed the specified levels in the approved programme unless otherwise approved in writing by the Planning Authority or in an emergency.

Reason

To minimise noise/vibration disturbance at adjacent residential premises.

Floodlighting Control (Construction Phase)

The following condition is recommended if security floodlighting is required on site.

Condition

A floodlighting scheme shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The floodlights shall be installed in accordance with the agreed scheme and retained for the duration of the works.

Reason

To minimise potential loss of amenity due to intrusive light pollution affecting residents living in the vicinity.

Informative:

When assessing potential loss of amenity the Local Authority shall make reference to the lighting levels provided in 'Guidance Notes for the Reduction of Obtrusive Light' GN01 produced by The Institution of Lighting Professionals, available at: <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2020/>

NB: The proposed development is within an E3: Medium District Brightness Area.

Informative - Construction/Demolition Noise

All activities associated with the construction/demolition works shall be carried out in accordance with British Standard 5228: Code of Practice for Noise & Vibration Control on Construction & Open Sites – Parts 1 and 2.

Air Quality

The submitted assessment considers the potential air quality impact of both the construction and operational phases of the development.

- Dust soiling and dust health impacts during construction are likely to be negligible if good practice measures are implemented. The report recommends that a Construction Environmental Management Plan or similar is implemented. This is an appropriate conclusion.
- Operational phase – The air quality assessment submitted in support of the application (ref:5214r1, 20/12/2021) states that, "Potential impacts during the operational phase of the proposals may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the site, as well as expose future residents to poor air quality. These issues will therefore be assessed using detailed dispersion modelling once complete traffic data for the project is

received. The report will then be updated to reflect the findings” Unfortunately, an operational phase assessment doesn’t appear to have been submitted.

Based on what we know about existing pollution levels, the risk to residents living on the site is likely to be negligible in the foreseeable future. But the impact on residents living close to congested junctions elsewhere is a potential concern and should be adequately considered.

I had hoped that we could rely on the air quality assessment that was undertaken for the new Blackamoor Link Road development, as that took account of allocated developments including this site (allocated site 16/7). But it was modelled as 140 homes, whereas 10/21/1426 is for 160 dwellings and 50 apartments, and outline permission for 100 apartments. As a result, the Blackamoor link road modelling won’t be representative.

I therefore recommend that the developer is asked to submit an operational phase assessment pre-determination (as there may be little scope for effective mitigation). However, if the Authority is minded to approve the application, despite the absence of an adequate air quality assessment, I recommend the following conditions:

Condition – Domestic gas boiler emissions

Gas fired domestic heating boilers shall not emit more than 40mg NO_x/kWh.

Reason: The condition implements the Principles of Good Practice in the EPUK & IAQM guidance Planning for Air Quality.

Condition – Electric vehicle charging

Each dwelling with a parking space or garage will have its own dedicated electric vehicle charging point. Each charging point will have a Type 2 connector and a minimum rating of 3.7kW 16A. External points will be weatherproof and have an internal switch to disconnect electrical power.

Reason: Reason: In accordance with Paragraph 110a and 112d of the NPPF. The condition also implements the Council’s Air Quality Advisory Note and the Principles of Good Practice in the EPUK & IAQM guidance Planning for Air Quality. National government policy is encouraging a transition away from internal combustion engines and towards ultra-low emission vehicles, including EVs, over the next 20 years. The government has committed to end the sale of new petrol and diesel cars and vans by 2030.

Condition – Dust Management Plan

Earthworks and construction activity shall not commence until a dust management plan submitted by the developer has been agreed in writing with the Council. The agreed dust management plan shall be implemented for the duration of the earthworks and construction activity at the site.

Reason: This condition is recommended to mitigate the risk of dust soiling and associated health impact at neighbouring residential premises during earthworks and construction. The developer's assessment concluded that the unmitigated risk of dust soiling is high for earthwork and trackout, medium for construction, and the health risk is medium for trackout.

Condition: Green Travel Plan

Notwithstanding any details submitted as part of the application, none of the buildings hereby approved shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The travel plan shall thereafter be implemented in accordance with the duly approved details and timetable contained therein. The Travel Plan shall contain:

- a. details of a Travel Plan co-ordinator;
- b. details of measures to be introduced to promote a choice of travel modes to and from the site;
- c. a monitoring regime which sets out travel mode share targets, monitoring procedures and mechanisms to be put in place to ensure that the Travel Plan remains effective; and
- d. a timetable for the implementation, monitoring and review of the Travel Plan which shall include provision for an annual assessment (over a minimum period of five consecutive years following the implementation of the Travel Plan) of the effectiveness of the measures introduced under (b) and shall identify the need for any changes to the Travel Plan and a timetable for their implementation.

Reason: In order to promote modal shift and increased use of sustainable methods of travel, and in accordance with paragraphs 110, 112 and 113 of the NPPF.

Contaminated Land

To date, a formal written response is outstanding. Informally advised that standard contaminated land conditions will be recommended.

6.3 BwD Environmental Services

Our main issues relates to the apartment blocks bin stores :

1 each bin store will require at least 3 x 1100 ltr bins for non recyclable waste, plus a further 5 x 1100 bins for paper/card and 5 x 1100 bins for glass/cans/plastic recyclables.

2 there is no storage provided for bulky waste item storage (furniture, mattresses etc)

6.4 BwD Highways

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

The proposal seeks consent for a Hybrid planning application comprising - Full permission for the erection of 160 dwellings and 50 apartments in two blocks together with access roads and landscape treatment (Phase 1); and outline

permission for the erection of 100 apartments in four blocks with all matters reserved except for access (Phase 2)

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

The site is located off Haslingden Road

Parking

We have reviewed the parking, in accordance with the adopted parking standards. The requirements are;

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

Having reviewed the drawings received, the scheme appear to deliver on the required number for the houses.

The parking requirement for the apartments is:

- 1 space per 1 bed apartment
- 2 spaces per 2-3 bed apartment

The details received offer 1 space per apartment, this is considerably lower than the standards would suggest. No narrative is offered in support of the number of spaces being provided.

No details for disabled parking, cycle and ptw is provided, please seek further details in compliance with council standards

We would request confirmation that the garages supporting the parking provision are 3m x 6m, and all drives measures 5.5m in length for each parking spaces. Please confirm

Access/Layout

Vehicular access to the site is to be obtained from Haslingden Road. A new bellmouth entrance (incl right turn lane) is to be created together with a formalised pedestrian crossing facility. This is to aid and safeguard keyworkers and residents crossing over for work or to utilise public transport linkages.

A Grampian condition will be required in order to carry out works through a 278 Agreement, please condition.

We have reviewed the internal layout received and would request further consideration of the following:

- The internal roads layout provided is designed as a 5.5m carriageway and 2 2.0m footways either side. Footways that provide wider connection through the site and linking to the reservoir and routes to all highways are 3m wide. We expect the connected paths to be presented for adoption, together with the car parking spaces for the visitors bays marked close to the reservoir.
- A few of the private drives exceed the national bin carry distance. As highway authority we do not wish to see bin clutter on the highway, as bins are brought to the edge of highway. Please consider how this will be managed and controlled, to avoid spillage and clutter onto the highway network.

- The one way road through the site serving plots 57-62, is very restrictive, it currently measure at 3m. We would advise that this is widened to at least 4m, (as I expect refuse vehicles would struggle to navigate in through and out – no swept path has been provided).
- No details of any swept paths has been provided with the submission. Some of the turning heads and bends would appear restrictive. Please request further details for assessment.
- No vehicle and pedestrian sightlines have been received. Please could we seek this for approval for both the junction and all drives?
- Some consideration has been given to ensure speeds on straight roads are managed through narrowing's on the roads which were discussed at pre-application. These do need to be more prominent and wider spread. The addition of these narrowing's go some way towards introducing some inferences towards Manual for Streets, however the frontage parking dominates the street scene on every access road. This present a sea of tarmac and gives no softer edge to balance the street scene that we would advocate as best practice, when forming streets for all.
- All gradient within the site should meet with councils required standards, please seek further details.

Are there any retaining structure supporting the highway, if they are then approvals need to be sought prior to any works commencing. Please condition if required.

Transport Assessment

The documentation received has been reviewed

The following comments are offered, which cite further works is necessary

Site Layout Drawing

Please can the following amendments be considered?

- 1) Extend the internal footway connection from BLOCK A AS 161-186 to the SS Footway reconnecting to Haslingden Road for movements to/from Haslingden Road (West).
- 2) Footpaths between unit No.125 and pond need tidying up.
- 3) The footway connections between the development and Pankhurst Close/Nightingale Close need improving / tidying up.
- 4) The site access appears to have some duplication of kerb lines, etc.

The TA presents an up to date review of local planning and transport related policy although no reference is made to the emerging local plan nor the current (LTP3) or emerging (LTP4) Local Transport Plans.

The TA presents a review of the local highway network and current conditions including analysis of Personal Injury Accident records. The PIA review concludes that there is no notable accident issue along the section of the A6077 and that the proposals are unlikely to materially exacerbate the existing PIA records. Crashmap.co.uk has been checked and no significant cluster sites have been identified within the study area.

The sites accessibility assessment concludes that the site is in an accessible location. This is not disputed although there are significant opportunities to enhance the sites accessibility through provision of good quality connections for pedestrians and cyclists with adjacent developments and local public rights of way and other paths, etc.

It should also be noted that BWDBC are currently working on a SE Blackburn Transport Strategy to identify a package of sustainable transport measures and road capacity improvements to support future development along the A6077 Haslingden Road corridor. Together with the Bus Service Improvement Plan and the emerging Local Cycling and Walking Infrastructure Plan, the study is anticipated to identify a number of interventions that will improve local accessibility levels.

Section 5 describes the development proposals totalling 31 residential dwellings, comprising 160 family homes and 50 key worker / affordable apartments. The main vehicular access to the site would be via the aforementioned ghost island priority junction with Haslingden Road. The geometric design and visibility splays are considered to be appropriate and acceptable. However, it is noted that within the landscaping plan there is planting which has the potential to impact on visibility which may require an appropriately worded condition to control the height and/or extent of any planting.

At 5.33 it is mentioned that formal pedestrian links are to be provided to Delius Close to the south of the site and Sullivan Drive to the west of the site. What is the reason why the links to the East (Pankhurst Close/Nightingale Close) cannot also be provided?

The Trip generation rates from the scoping note have been reviewed as requested and alternative trip rate which are in line with expectation have been derived. Trip distribution has been based on 2011 census journey to work data. The data is now 11 years old but is acceptable in the absence of any up to date alternative.

TA Appendix A – Technical Note on Derivation of ‘Adjusted’ 2022 Traffic Flows

Paragraph 3.3 a comparison of the values would be useful to determine if the variance is significant enough to prevent use of a derived factor.

Paragraph 4.1 the removal of built committed development traffic flows from the 2022 surveyed traffic flows before applying the COVID adjustment factors is flawed. The factor derived seemingly converts 2022 observed traffic flows to 2019. For January 2022 Survey locations I would expect the following:

- 1) Application of the derived factors to convert 2022 observed traffic flows to 2019
- 2) Application of Temprow growth factors for 2019 to 2022 (with planning assumptions adjusted if built and/or committed development has been explicitly included.

Please can a comparison of the resultant trip rates be provided to determine if a revised assessment would be likely to be materially different in its conclusions?

Off-Site Traffic Impact

The approach of percentage traffic impact is not acceptable. In congested areas, the percentage traffic impact that is considered significant or detrimental to the network may be relatively low (possibly below the average daily variation in flow). A percentage traffic impact approach also creates an incentive in favour of locating development where high levels of background traffic already exist.

The identification of junctions requiring operational assessments should be based on a threshold of 30 two-way movements and any arm of a junction within either peak hour. It is however noted that operational assessments have been provided for all junctions within the study area with the exception of M65 Junction 5. Please can it be confirmed that M65 Junction 5 meets the threshold requirement set out above?

Operational Assessment of Junctions

Site access shown to operate within capacity in 'No Growth' and 'With Growth' scenarios.

A6077 Haslingden Road / Bennington Street over capacity in 'No Growth' and 'With Growth' scenarios.

A6077 Haslingden Road / Grimshaw Park / Rockcliffe Street over capacity in 'No Growth' and 'With Growth' scenarios.

A6077 Haslingden Road / B6231 School Lane / Blackamoor Road over capacity in 'No Growth' and 'With Growth' scenarios.

The operational assessment of junctions concludes that

"Based on the modelling presented in this section of the report it is concluded that both the proposed 'Phase 1' and 'Full' developments would have a negligible impact on operating conditions, with forecast increases in ratios of flow to capacity / degree of saturations and queue lengths being minimal." And that "the operation of the junctions would not be materially affected by the proposals" and as such "no highway mitigation is required in association with the proposed development".

The operational assessments provide a clear indication that the proposed development would have a detrimental impact on all of the junctions assessed and would contribute to a worsening of congestion at all junctions.

The SE Blackburn Transport Study is currently underway and is expected to identify a package of sustainable transport measures to bring about modal shift and improve travel choice for those who will travel in the area in the future. This may well contribute to an improvement in anticipated traffic conditions at the junctions assessed although capacity improvements may still be required. An appropriate and proportionate contribution towards sustainable transport improvements within SE Blackburn would be justified. Details of appropriate measures are available within the BSIP Enhanced Partnership Plan & Scheme and are also likely to emerge from work currently underway on the LCWIP and SE Blackburn Transport Study.

Technical Note – Site Access

The principle of a ghost island right turn junction arrangement for the site access is considered to be appropriate subject to the findings of junction modelling assessment within the TA. Lane widths, the length of the right turn lane and position of ped crossings etc. appear appropriate although consideration should be given to the provision of a controlled pedestrian crossing given the potential for increased pedestrian demand between the development and Royal Blackburn Hospital on the opposite side of A6077 Haslingden Road.

The safeguarding of land (15m wide corridor) for the potential future widening of A6077 Haslingden Road is considered adequate.

OTHER

A Construction Management Plan has been received but no narrative accompanying this is attached. The plan provides insufficient detail, i.e. wheel wash, type of wheel wash, location, management of the system. Traffic management on highway and routes to the site. Statement would be required to support the development – no details are received, please request information or condition for submission.

Matters also to be considered are:

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

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

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

Please attach standards conditions/Informatives: Highways 1, 2, 3, 7, 8, 9, 90, 10, 11, 12, 13, 14, 15, and 17

Additional details received 16th March 2022...and email of the 11th March 2022 received from the developers.

Firstly I would start with the email, I have penned a response against the individual issues, those that link into each other, I have set out the councils approach for clarity.

- The adoption plan is still not correcthowever not a matter that needs to be resolved for planning, this can be captured at Highways Technical Approval stage – Noted, comments to be picked up as part of TA process
- The swept path detail now supplied presents concerns at the following locations
 - The buildout sited outside Plot 44, requires a swept of the vehicle exiting from the drive – Okay to be provided
 - The swept path on the 3m one way access road; shows vehicle entering or learning drives on the eastern side of the road, driving over the footway to undertake the manoeuvre. – Minor overrun for larger vehicles. Could extend to 3.5m if required to remove any overrun. Could this be a 5m shared surface instead of a 3 and 2?
 - The Local Authority is minded to ensure pedestrian safety is considered in all aspects. The shared surface design is something we have started to move away from. The reason for this is to ensure the pedestrian has a dedicated walkway. The suggestion to extend to 3.5m would improve the situation, albeit ideally it should be a minimum of 4.1m, but understand the constraints you have with separation distances.
 - The swept path for the 3m wide road is incomplete, it needs to show the turning into and out of the road. It also highlights the restricted nature of the road, with the wheels up against the kerb edge. – Although 3m is narrow the tracking works with clearance from the kerb lines, the radii around the bend is such that a refuse vehicle can track safely.
 - Turning head near plot 148 restrictive, the turning head needs adjusting, this also applies to the turning head near plot 10 - Is this in addition to the extension of turning heads we have already applied? If so we can review but may need to extend further.
Yes this is in addition
- On the issue of traffic calming, no further details have been offered, although the drawings refer to traffic calming. – Is this a requirement to provide standard details/overview? If so we can provide them, however we have only been given limited info from yourselves over what was expected from a planning perspective – we have just assumed standard build outs and mini pinch points.
 - The tactile paving proposed is too much. They are only needed at controlled crossings on main crossover points. – The language here is a bit unclear – there are no controlled crossings within the development, I am assuming he means only required at junctions. We can remove others if required but would be handy to understand which crossings he believes are no longer required.

- The safety of the bends has not considered, and still appear restrictive. – Again comment seems unclear – we have tracked bends and can provide forward visibility drawings along the carriageway to satisfy if required. However there are standard radii bends that would typically satisfy councils based on the speed of roads. Would be better to understand what “Restrictive” means in terms of a technical response.

To clarify our position

The details presented to us showed tactile paving at all crossings within the internal access road. Warranted there is the need to press forward with dropped kerbs at these locations, however maybe all too much for Tactile Paving. Notwithstanding, this observation and combined with the traffic calming matters, this can be carried forward for more detailed discussion at technical approval stage.

The issue with regards to the widening on the bends however needs addressing and cannot be left for technical approval. The request made is to ensure two vehicles can pass each other comfortably on the bend. We have experienced issues with standard width of 5.5m, and experience has advocated that the road would need to be extended on the bends to 6m.

Transport Assessment

The addendum received has been reviewed.

We are content with the responses provided on the Transport Assessment and acknowledge that NH have suggested that no assessment of M65 Junction 5 is required as far as they are concerned.

However, there's still more that can be done in relation to the walking and cycling connectivity and to support the walking and cycling network aspirations emerging through the LCWIP. While the drawing has been tidied up the additional connections requested have not been provided and as the site layout stands it would be difficult for the Council to provide these in the future. It is acknowledged that the access to the substation is for maintenance vehicles only but this does not prevent the path being extended to Haslingden Road in advance of the substation access. This would provide a more attractive and direct route for the Phase 1 apartments to the West (town centre, KFC, Observatory PH, etc.).

The connections to the East to Pankhurst Close and Nightingale Close should also be improved with paths taken to the boundary if necessary. Observations from google earth indicate that a small dwarf wall is all that would prevent a connection from being made.

Ideally the site layout should be amended slightly to relocate properties 158 & 159 slightly so that the private driveway can be better aligned with Pankhurst close to provide a more intuitive connection onto the adopted part of the highway. The path

close to the pond and visitor parking area would also benefit from amendment so that it is less tortuous for cyclists.

The changes to pedestrian linkages as suggested, need confirmation and acceptance

Aside from the above, outstanding issues are

- Sightlines(please condition)
- Confirmation towards parking numbers for the apartments, and measures to support disabled parking, cycle and ptw is still required
- Also confirmation that parking provision in accordance with dimension are aligned with council requirements.

Please request all previous condition/Informatives (including Grampian) including those sited under other are to be attached

6.4 BwD Public Rights of Way

There is a footpath running across this site which is mentioned in the planning and access statement. This footpath 101 Blackburn will require a diversion order to accommodate the development.

The footpath will also need a temporary closure in place before any work commences on site, including site preparation prior to construction.

If there is to be a change of surface to this Public right of way, prior approval needs to be sought from the highway authority before work commences.

All forms can be obtained from BWDBC website or by emailing:

6.5 BwD Arboriculture Officer

As far as I can see there is only s tree survey that has been submitted (Arb Appraisal). I need to know if they are removing/retaining trees? And especially the hedge along the front which appears to be outside of the red edge, ideally I need info on how they are going to protect that without damaging it. So, I need an Arb Method Statement and Tree Protection Plan.

Otherwise, the landscaping scheme is acceptable.

6.6 BwD Property

No comment offered.

6.7 BwD Travel Planner

No comment offered.

6.8 BwD Strategic Housing

No objection.

6.9 BwD Education

No response offered.

6.10 BwD Housing Standards

No response offered.

6.11 United Utilities

United Utilities Water Mains – Request for further information:

It is important for the applicant and the Local Planning Authority (LPA) to understand we request clarification regarding the proposals in the vicinity of our water mains prior to determination to ensure there are no issues further into the development process.

As the applicant has demonstrated in their submission, United Utilities has a significant water main running through the southern section of the red line boundary. The proposed foul pumping station and SuDS pond are proposed close to, or potentially over, the United Utilities Water Main. It is important to outline that the exact location has yet to be determined according to our records.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Our recommendation to the LPA is that the application is not progressed further until the exact location of the water main is confirmed with us and so that the implications for the proposed works can be fully understood and redesigned if necessary prior to determination. It is important to outline our mapping system is only indicative so the exact location of the main could be material to the layout of this full planning application.

For advice on addressing the requests below, the applicant should contact Sara Livesey via DeveloperServicesWater@uuplc.co.uk

We recommend the applicant provide the following:

Undertake the required tracing prior to determination. We will not allow building over the water main so it is important the location of the constraint is fully understood and reflected in the submission.

2. Outline the methods of protecting our infrastructure during and post construction. There should be no additional load bearing capacity on the main without prior agreement from United Utilities

This would include any earth movement, level changes, pond embankments and the transport and position of construction equipment and vehicles. It's important to understand that we will not permit development over or within the easement (10

metres) of the water main and that the applicant must understand their options if there is any works over or near to the main as part of this proposal.

More information can be found under 'United Utilities' Property, Assets and Infrastructure'. This includes information on an **additional legal easement** afforded to the water main that the applicant must demonstrate an understanding of as part of any agreement to protect the water main.

DRAINAGE

Further to our review of the submitted drawing 4077-PEF-XX-DR-C-0500-DRAINAGE, REV F - Dated 21.10.21, we can confirm the drainage proposals are acceptable in principle. However, referring to the above, this may need to be amended dependent on the exact location of our water main.

We request the following drainage condition is attached to any subsequent approval to secure the above approach to drainage:

Foul and Surface Water Drainage Condition

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions, the potential for infiltration of surface water in accordance with BRE365, a survey of existing drainage arrangements and the potential to discharge surface water to the highway drainage system;*
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). The rate of discharge shall be restricted in accordance with drawing 4077-PEF-XX-DR-C-0500-DRAINAGE, REV F;*
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD; and*
- (iv) Foul and surface water shall drain on separate systems within the site.*

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

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

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood

Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewers for Adoption and United Utilities' Asset Standards'. This is important as drainage design can be a key determining factor of site levels and layout.

Acceptance of a drainage strategy does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

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

You may find the condition below a useful example.

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

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

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

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

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and

maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

6.12 Ecology – GMEU

I have now had an opportunity to consider the proposal and submitted information: -

- Ecological Impact Assessment (Enzygo, November 2020)
- Biodiversity Net Gain Draft pdf of excel metric calculation (Enzygo, November 2020)
- Landscape Scheme Amended (uploaded to planning in March, 3 sheets - Landscape Design Solutions Ltd, LDS507-01 rev A and -02, 03)
- Boundary Treatment Details – Additional Information (uploaded to planning 1st April, Keepmoat Homes, dwg no 4077-BTD rev -)

I have the following comments to make: -

The Report appears to have used reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance (Section 41, NERC 2006 [Natural Environment & Rural Communities Act]). The survey was conducted in November 2020, which is recognised as suboptimal for the majority of surveys. Additionally the survey is now nearly 18 months old. However, given the nature of the habitats present the habitats on site are unlikely and this is not considered to be a constraint on the assessment and does not invalidate its findings.

The Report concludes that the site supports a building of negligible value to bat roosting and the surrounding habitats within the site are of local value to biodiversity.

There is currently no known reason to contradict the findings of the Report and **the application can be forwarded to determination in respect of biodiversity without the need for any further work.**

It is recommended that in order to comply with planning policy a number of conditions/informatives should be attached to any permission if granted, as follows: -

Tree protection of retained hedgerows, trees and scrub along with the boundary of the reservoir should be secured via **condition**

Precautionary approach to site clearance RAMS – Vegetation clearance including trees, shrubs and undergrowth (eg bramble) should avoid of the breeding season (March – August inclusive) unless it can be demonstrated that there is no nesting activity present. All wild birds are protected whilst nesting (Wildlife & Countryside Act 1981). Additionally, the Report indicates that whilst additional survey is not required Reasonable Avoidance Measures should be used to site vegetation clearance including supervision by an Ecological Clerk of Works. This is due to the presence of dense scrub which could not be inspected for badger signs and likelihood of common amphibians or reptiles being present including common toad (NERC Priority Species). It is recommended that these measures be secured via **condition**.

Design of the external lighting scheme, particularly along the southern boundary adjacent to the reservoir. In line with the NPPF (July 2021 para 185 c)) we recommend that applicants follow the Institute of Lighting Professionals guidance (01/21 obtrusive

lighting and 08/18 wildlife sensitive lighting). This should include all elements of the proposal such as highways lighting, pedestrian/cycleway access and external domestic/security lighting as appropriate. This should be secured by **condition**.

Ecological Permeability – I note the boundary treatment plan and the associated notes. In line with best practice it is suggested that this detail should be amended to show the provision and specification of small mammal/amphibian gaps at the foot of the 1.8m feathered board fencing. This should be a gap of 130mm x 130mm in the footing, concrete pad or gravel board. This can however, be implemented via a **condition** for a Biodiversity Enhancement Plan although the LPA may decide that this may also require adjustment to the boundary treatment plans.

Surface Water Drainage – The scheme includes two open water areas, which will act as attenuation and blue infrastructure. I could not locate any planting specification for these features. It should include suitable marshy grassland seeding to the sloped edges and the planting of aquatic native species marginal. I would suggest that this can be secured against a notwithstanding the submitted landscape plans condition.

Landscape Specification – The landscape layout includes a buffer to the southern edge of the proposal and this is appropriate given the presence of Fishmoor Reservoir. However, I have recommendations for adjustment as follows, which can be secured on a **notwithstanding the submitted landscape detail condition**: -

- Pond planting and aquatic specification see above
- Removal of both *Cornus sanguinea* (dogwood) and *Ligustrum vulgare* (privet) from the native scrub mix. Although both these species may be considered native they occur in natural habitats at very low density and horticulturally produced specimens of these two plants have a tendency to be competitive and dominate a shrub mixture. I would suggest they are replaced with native wild cherry (*Prunus avium*), dog rose (*Rosa canina*) and/or honeysuckle (*Lonicera periclymenum*).

Biodiversity Net Gain – Biodiversity Enhancement The scheme is supported by a pdf copy of a Biodiversity Metric calculation but no Biodiversity Net Gain Report. This means that GMEU has not been able to fully validate the conclusions drawn by the applicant. However, in this instance there would be little merit in requiring these submissions at this late stage as it is highly probable that any adjustment on verification would not result in the scheme providing a net loss in biodiversity. The summary is that there would be a net gain of +9.54% habitats and 46.31% in linear hedges. However, the scheme does not include the submission of biodiversity enhancements as identified in the Report including bat or bird boxes or informal hibernacula for common amphibians/reptiles. I would recommend that a Biodiversity Enhancement Plan is provided and implemented via **condition**, on any permission if granted.

Landscape and Environmental Management Plan In order to secure the BNG uplift that is claimed the scheme should be supported by a LEMP which demonstrates the management and monitoring of on-site habitats for a period of 30 years. This can be secured via **condition** with identification of suitable resourcing and reporting processes. Where necessary this may require a securing obligation if this responsibility is to be returned to the Local Authority.

In summary and conclusions, I am satisfied that the scheme does not require any further biodiversity assessment, but that adjustments/additional information is required in relation to the following: -

- Boundary treatments
- Landscape specification to include changes and additional information
- RAMS protocol for site clearance
- Biodiversity Enhancement Plan#
- Landscape and Environmental Management Plan

I hope you find these comments helpful. If you have any queries, please do not hesitate to contact me.

6.13 Environment Agency

No response offered.

6.14 Lancs Constabulary

No objection subject to standard recommendations.

6.15 Public consultation

159 letters were posted to the local community on 21st January 2022 and again on 30th March 2022, following receipt of amended details. Site notices were also displayed and a press notice was published 14th February 2022. In response, 10 objections were received (see Summary of Representations).

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

8.0 DATE PREPARED: 8th April 2022.

9.0 SUMMARY OF REPRESENTATIONS:

Objection – Mr & Mrs Moore, 21 Delius Close, Blackburn. Received – 27/01/2022

As a resident of 21 Delius Close our main concern is there a full strategy for the full drainage as this could have a major impact on flooding our property. We have heard that the builders are building a pond but that isn't acceptable as the excess water from the fields should be pumped away or drained away from Delius Close. Also we are concerned about the height of the apartment blocks and also where they are going to be sited on the development.

Objection – David Hargreaves, 23 Delius Close, Blackburn. Received – 28/01/2022

I have some serious concerns:

1. Drainage, the land that borders our property currently drains through my garden through a natural land drain. I am concerned that any digging adjacent to me could disrupt the flow of water and lead our property vulnerable to flooding.
2. Privacy, currently our property benefits from a private back garden that potentially could now become overlooked or shadowed by any adjacent developments, how close would the building be to me?
3. House value, i believe that the value of my property will be effected greatly by the development of houses that are just a matter of metre's from my now private garden that looks out over open fields.

I would appreciate a speedy response regarding the above concerns.

Objection – Brian Seddon, 20 Britten Close, Blackburn. Received – 07/02/2022

Dear mr. Prescott,

I'm Brian Seddon of 20 Britten close BB23TD. My property is immediately adjacent to the site.

I spent a quarter century making my house into a comfortable home for myself and my family. Now alone and a pensioner my life is set to be turned upside down and my retirement ruined by this huge development on my doorstep.

The prospect is filling me with dread. I fear for my mental wellbeing.

We are all entitled (some of it by law) to consideration in respect of quality of life, space and privacy so my objections are these:

I am about to be subjected to many months (years?) of noise, dirt & pollution; beeping bulldozers, windblown dust & diesel fumes all day long while I sit mere metres away.

The proposal requires a straight row of six (6) close-built two storey houses running the entire length of my property. In effect an almost unbroken, thirty foot high barrier. And at only thirty feet away it will loom over my house and dominate my gardens robbing me of light, space and privacy.

It is normal practice in estate design to apply a two-garden gap between facing or opposing buildings. This provides a decent buffer for residents. My property, as you can see from the plan, is uniquely, transversely oriented (side-on) to the proposal so I only get a one-garden gap butI have windows in the side. The new householders will be staring directly into my house and me into theirs from very close quarters.

I recognise that you have a tough job and there are hard choices to be made and ...somebody's gonna suffer but I would be grateful if you can help find a solution that I can live with.

Objection – Simon & Claire Blackford, 27 Delius Close, Blackburn. Received – 07/02/2022

I would like to express my objection to the planning application with ref 10/21/1426.

This is on the grounds of.

Privacy.

Risk of flooding.

Safety of children and animals, with risk of drowning.

Destruction of natural habitat.

Removal of space used by the local community.

Traffic

Privacy

The plans show that there are 3 houses being built directly behind and connected to our property of 27 Delius Close, overlooking our property. The proposed plots are of a higher elevation and also look into the garden directly this reduces our privacy.

Risk of flooding

Currently the road outside the property of 27 Delius Close floods during high periods of rain, and the rain water creates a stream running along side the property of 27 Delius close and on occasion floods the garage and pathway submerging the pathway by about an inch or 2. With the building of the roads and houses this is going to reduce the amount of land that can absorb the rain water and so could increase the level of flooding around the property of 27 Delius close, this is also exacerbated by the building of a pond behind the property of 28 Delius close.

Safety of children and animals.

With the proposal of the pond behind number 28, and the use of land around it for dog walkers and children playing there does not seem to be any proposed safety measures to stop children and animals from falling in.

Destruction/disturbance of natural habitat

Currently there have been sightings of hedgehogs, bats and owls, of which are endangered or protected at varying levels, as well as other birds of prey on the proposed land. I would like to see if there have been any reports done by independent bodies to determine what natural habitats may be disturbed, with the possibility of if there is any other animals that may be present in and around the reservoir.

Removal of leisure space used by the community

The space that is under application is used frequently by dog walkers, giving them the ability to take their dogs off the lead, it is also used by families to walk and play through as part of their walk around the reservoir. With the expansion of housing and business in all available green spaces around the reservoir the proposed application will take the last remaining space around the reservoir for people to enjoy the local area.

Traffic

Due to the open access way being built along side the property of 27 Delius close, this will increase the amount of pedestrian traffic walking along side the property. This will increase litter which is already a problem, disturbance and privacy while using the garden, and also due to the ground being wet a lot of the current traffic use our land to walk onto the proposed land, this will only be increased and force more people to use our property to get past any large muddy puddles due to no established walk way.

Objection – Aasiya Sidat, 24 Delius Close, Blackburn. Received – 10/02/2022

I am writing in regards to the planning application for the new development on Haslingden Road near Fishmoor reservoir.

We are residents at Delius Close (no.24) and have the following concerns/questions/requests:

1. Please ensure sufficient drainage is installed around the boundary as currently we have a lot of water running down into our gardens and draining out onto our cul-de-sac. We understand a pond is to be installed but given the amount of water gathering daily on our street and in our gardens we request additional drainage solutions around the boundary to prevent further problems.
2. Please ensure sufficient lighting is installed around the pond areas as during the summer months and even during winter holidays we have a lot of youngsters coming to the reservoir and loitering/misbehaving/drinking alcohol and causing a nuisance. An extra water feature would attract more youth as a socialising spot and sufficient lighting would provide us with some security as we have had incidences of opportunist car thieves etc. Sufficient lighting would deter them from anti-social behaviour and would enable us to keep an eye out for those close to our property boundaries.
3. Who will maintain the pond and green areas? I trust a reputable maintenance company will look after these areas as we don't want the stench of stagnant water near our living spaces as well as swarms of pests that hang around such water areas. Also as mentioned earlier we are a popular spot for youngsters who currently leave takeaway cartons, drinks etc at the reservoir after a night partying near the water. There should be waste bins and recycle bins situated near the pond areas to encourage proper disposal.
4. As we bought our houses for the open views and green spaces please ensure we still have a comfortable view of the green/water space to be created. And regular maintenance (mowing/pruning etc) should be carried out.

I would appreciate if you would take these matters into your hands and address them accordingly or pass on to the person who can see to these points. I echo the views of others in our street and we wish for our concerns to be acknowledged and dealt with.

Objection – Mr & Mrs Kay, 32 Nightingale Close, Blackburn. Received – 10/02/2022

We, Mr and Mrs Kay of 32 Nightingale Close, Blackburn, BB1 2RE oppose the planned development on the field opposite the front of our house.

We chose our home based on the open views of the neighbouring town, reservoir and wildlife on our doorstep for which we paid a premium. We are frequented by birds of prey in the neighbouring field, bats and have even had the occasional deer find it's way to visit.

We are aware that a development has been planned for a number of years, however should this go ahead, we oppose the layout directly in front of our home.

We are mostly concerned to the planned build of some houses and trees that are in close proximity to the boundary wall. Our home is set significantly lower than the adjacent street of Pankhurst Close and so, this would result in impeding our natural daylight and it being blocked out somewhat. Not to mention we are concerned about the tree roots disturbing the said wall and also the height in which the trees will grow which could also block our daylight!

Another concern of ours, is the view of rear gardens. We are well aware it is a separate development to the one we live on but part of our land lease terms are not to display laundry to the front of the properties. But it seems, being faced with a collection of back gardens and laundry, it is going to seem somewhat unsightly and some may say an eyesore!

Finally, an additional concern of ours is the vast number of flats/apartments being built, with waste and vermin issues as we have had constant problems with people fly tipping at the bin storage sheds and the council not cleaning up, which has then lead to rats in our neighbourhood and we have far less flats/apartments in comparison to the proposed development so cause for concern. Not to mention the height of the apartment blocks as they are in our skyline.

We acknowledge that there is possible development going forth, but we would kindly like to ask you to consider the thoughts and effects of the neighbouring boundaries.

We welcome you and any developers to our home to access our issues and concerns based on locational proximity and to listen to your responses.

Objection – Mr & Mrs Kay, 32 Nightingale Close, Blackburn. Received – 06/04/2022

We, Mr and Mrs Kay further oppose the amended planning application for the land in front of our house, bounded by Haslingden Road and Fishmoor Reservoir, Haslingden Road, Blackburn.

No amendment has been made to any of our major concerns listed in our opposing letter. All cause for concerns indeed remain the same.

Objection – Mr & Mrs I Barker, 14 Britton Close, Blackburn. Received – 11/02/2022

Regarding planning application for housing + apartment blocks on the boundary of Haslingden Rd / Fishmoor Res.

On the plans there are no gaps between our back fences and the new house fences. Hence, we have worries regarding flood water not being able to flow down the back of our fence down to the brook in the dip of Roman Rd. There should then be space behind as we also need room to maintain our fence + the area around.

There seems to be a concentration of houses at the rear of us and less space as in other areas of the plan.

We can't see how its possible for Hx semi's to be built from the side of us 20 Britton Cl. to the back of ours no. 14!.

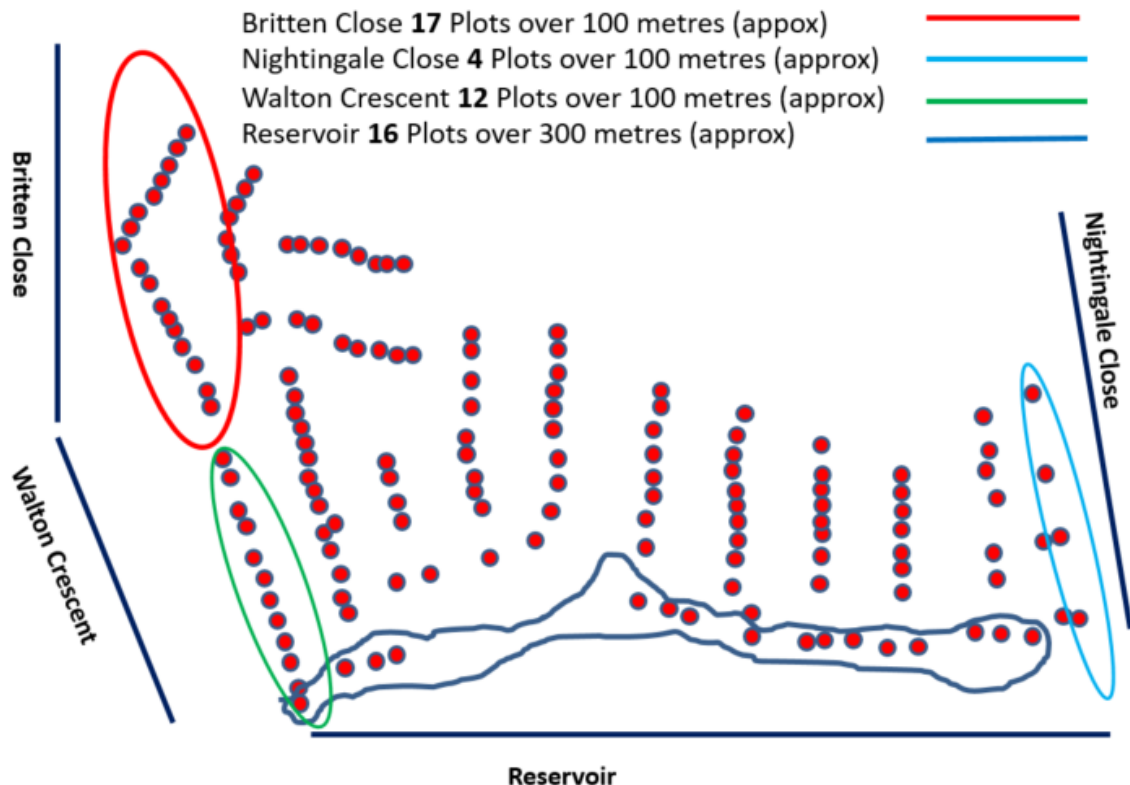
No green belt space will be left for people to walk + dog walk. Since moving here in 1993 a school / petrol station / sports stadium / + EG HQ have all been built in this area and also an extension of our estate.

Surely we don't need more housing as well!!

If housing is needed for NHS staff then why not build this on the Hospital site?

Objections/Comments for Planning Application 10/21/1426

1. The development is not in keeping with the adjacent developments in the area, neither in housing density, which is far greater in the new development or, in character, with the proposed new houses being extremely plain looking and reminiscent of 1950's social housing. (see Page 9) The design of which show very little imagination or flare or, design detail in contrast to the existing 3 developments. Britten Close, Delius Close and Nightingale Close. The surrounding existing developments all have Detached properties at the boundary with this new development whilst the new development has semi detached/terraced properties and as such are not in keeping.
 2. The development layout is quite 'unbalanced' with all the smaller houses in one area compared with remainder of the development, especially so with neighbouring developments. A simple dot map proves the point. See page 3 This creates a very congested area in the North West side of the development. This might have been the intention of the original design concept but, this is very unfair on the occupants of Britten Close. Ironically, the least dense area is the one facing the Reservoir. Also Britten Close is the only area on the development which has the proposed housing facing us directly. If this development goes ahead, as I'm sure it will, then the 'Pain' should be shared equally along with the other existing developments. If not, then this shows a complete lack of understanding and respect for the people of Britten Close, some of whom have been here for 30 years.
-
- 3 contd. If the detached properties on the site were equally distributed and the semi detached ones moved accordingly this would reduce the oppressive congestion at the North West corner of the development but still maintain the overall number of housing units. This would mean more people in the new development would enjoy the great views looking to the South over the reservoir instead of just a few. Currently there are 16 houses facing the Reservoir over a length 300 metre length approx. Whilst at the North West corner has 3 times the density. See Page 3. At the western side of the development, Nightingale Close there are just 4 Houses along a length of 100 metres. Which is 4 times less density than around Britten Close. Very clearly Unbalanced and Unfair.



4 The Environment and Flood Risk Strategy Document for this development clearly shows surface water 'Risks' running along the entire Western Boundary (Britten Close and Walton Crescent). See Page 5 and 6. These risks are clearly identified in the document Ref Para 4.4.3 of the document and state "conveyance routes where present to be maintained is also recommended, particularly in those locations where surface water risks are currently illustrated" These risks have Not been mitigated by the developer in the area around the upper part of Britten Close, as there is no separation between the developments as there is along the boundary at Walton Crescent. However, it looks like at some point in the design stage this was not the case as looking at the Street Scene view Section 2-2 Keepmoat Dwg KMNW DR A 13000 Locator View Street Scenes, the boundary line on this drawing shows separation of the developments all the way along the Western edge . See page 7

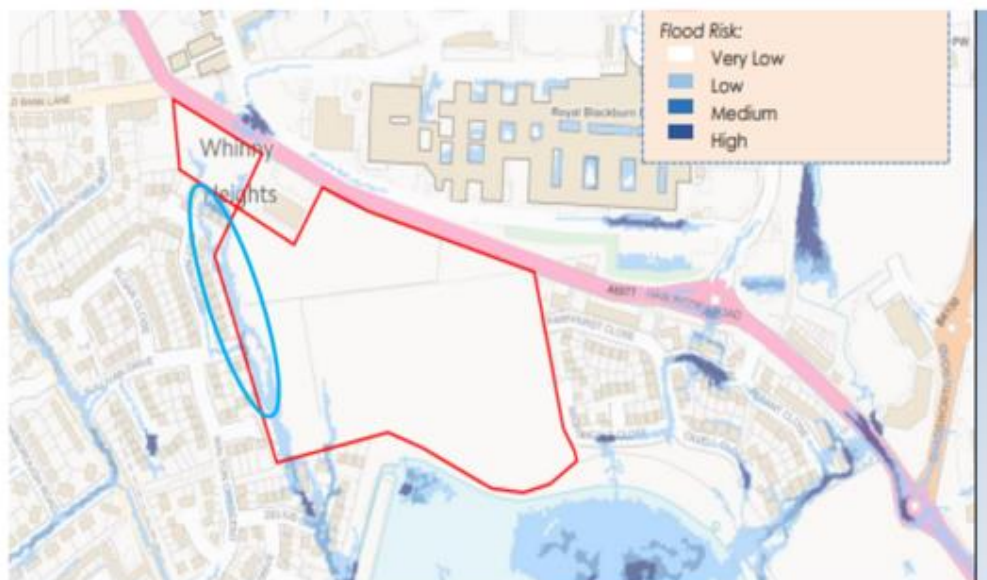
This Western Boundary Surface Water Run Off is in fact the origins of the Higher Croft Brook which flows down the western boundary of the development and enters the Reservoir overflow runway behind Delius Close. During wet weather the whole western edge of this development 'flows' and floods the road at the lower part of Sullivan drive at its boundary with this new development.

If this development goes ahead then the ditch along the western edge should be re-defined to aid the flow of this surface water run off for the full length of the development. From the top of Britten Close, along Walton Crescent and down to Delius Close with adequate separation between developments around the conveyance route as requested by the Flood Risk document. This would also enable the people on Britten Close and the new development, to maintain their fences without the need for 'party' fencing as is planned currently.

Below is an extract of Para 4.3.3 from the Flood Risk Assessment Doc. This advice has not been followed by the developer in the current Plan.

4.4.3 Any residual risk from surface water flooding will be managed, post-development through the design and implementation of a sustainable surface water management regime. Inclusion of green/blue corridors through the site **to allow for natural conveyance routes where present to be maintained is also recommended, particularly in those locations where surface water risks are currently illustrated. Figure 3 of the Flood Risk Assessment document.**

Surface water Risks have not been mitigated. Plan shows Houses and gardens at some locations behind 8,10,12, 14 and 16 Britten Close With no separation between developments to allow for this water conveyance route as stipulated in the Flood Risk Document for this development.



Ref Figure 3 of Flood Risk Assessment Plan

View showing Separation of the developments was intended at one point to mitigate as per the Flood Risk Assment Document for this development.

Fencing Line Current Development
Blue Line (Britten Close)

Boundary Line (Red Line)
Ref KMNW DR A 13000
Locator View Street Scenes



- 5 The minimum required distance between habitable rooms directly facing a property should be 21 metres. This is not the case in several of the properties on Britten Close. Including my own. In my own case it is only about 18 metres What is particularly worrying about this aspect is that the developer must have known this when he published this Plan. This demonstrates to me that the developer has not got a the necessary Quality Control checks in place and one does wonder about what else the is wrong with this development plan. The software employed for drawing these plans should have this kind of separation built into it as standard. Which begs the question. Has it been ignored?
- 6 The Plan currently shows that Party Fencing will be required at house Nos 6,8,10,12,14,16,18, and 20 of Britten Close and 13 plots on the new development. If the residents of Britten Close accept this then several questions arise about those who are willing to have Party fences and those who are not. The developer could choose to build a complete New fence along this stretch of boundary ignoring the fact that the residents of Britten Close would not be able to maintain their fencing as they would not have access. Either way, this creates a legal nightmare for both parties. It is not fair that BWDBC impose this legal nightmare on the residents of Britten Close. This is another reason why the new development should be separated from Britten Close along its full length.

The Planning Statement section 5 Supplementary Planning Guidance for this application states the following:

Residential Design Guide Supplementary Planning Document (2012) 5.2 The SPD provides targeted advice to enhance the quality of new homes and residential places across the Borough. It seeks to ensure that new development reflects the area's special character and promotes the **highest standards in design**. The SPD also aims to ensure that the new homes and residential places in the borough are on a par with, or even exceed, the most attractive and popular historic residential areas in Blackburn, Darwen and the outlying villages



I definitely think that this statement is stretching it more than a bit when I look at these proposed new houses.

Objection – John Bell. Received – 14/02/2022

With reference to planning application 10/21/1426, phase 1, I would object to the scale of it as there seems to be only 1 road in and out.

The application is for 160 dwellings and 50 apartments with an potential average of 2 cars per dwelling that is a potential of over 400 cars to get in and out and there would also the disruption to an already busy road which will get busier once the improvements are made. Phase 2 of this application should not go ahead until even more provision is made for vehicular access.

Could access not be split between Haslingden road and a new access built to Roman Road? I travel from my home off Revidge to work near Guide and back every day, and am constantly being held up with backlogs of traffic. this development would make it worse.

Objection – Jasmin Barnes, Residential Management Group Ltd, Northwich. Received – 22/02/2022

Good morning,

I am writing in regards to the above planning application, I manage the housing estate opposite this area, Kingsmere, and the residents have raised some concerns which I would like to pass along:

- 1- The planning application does not include playground facilities, I understand this is not a requirement however the Kingsmere housing estate does have playground facilities and residents are concerned that this will invite residents of the new estate onto the Kingsmere playground which could have implications for our public liability insurance as well as increasing wear and tear of the playground equipment that the Kingsmere residents pay for.
- 2- The planning application shows that the ponds are not going to be fenced off, this poses a health and safety risk especially for young children which there are a lot of within the Kingsmere estate.
- 3- There is no screening plan for the pumping station that will be situated adjacent to Nightingale Close.

I hope the above concerns can be noted on file and potentially addressed when considering this application.
