

SUPPLEMENTAL REPORT OF THE STRATEGIC DIRECTOR

Plan No: 10/21/1426

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

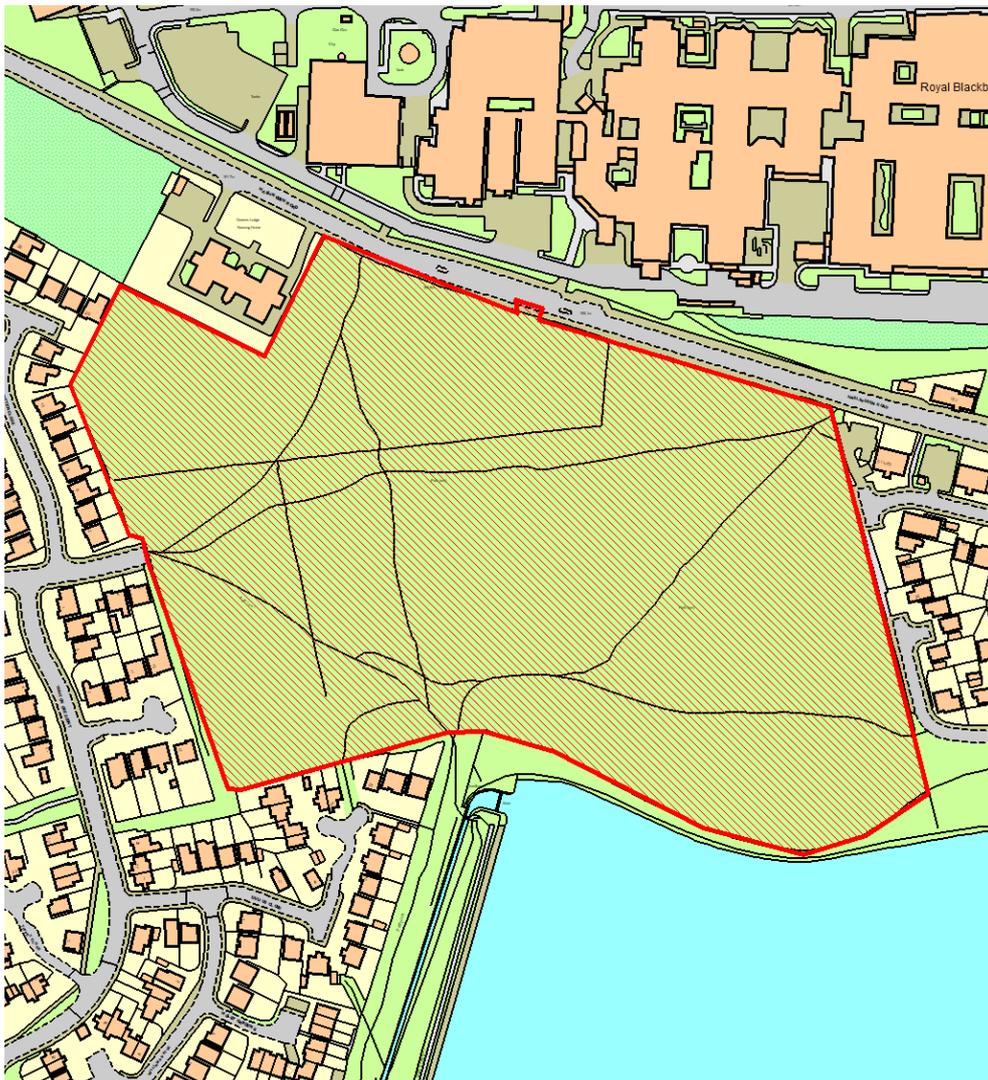
Applicant: Keepmoat Homes

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 Members resolved to grant planning permission at the 21st April 2022 meeting of the Planning & Highways Committee. Members agreed with the recommendation that the proposal would deliver a high quality housing led development, on a site allocated for such, which widens the choice of family housing in the Borough, in support of the Council's planning strategy for housing growth, as set out in the Core Strategy and Local Plan Part 2. The proposal was also deemed to be satisfactory from a technical point of view, with all issues having been addressed through the application, or capable of being controlled or mitigated through planning conditions and a Section 106 Agreement.
- 2.2 The application has been returned to the Committee in order that a condition can be agreed, in addition to those already agreed, as set out at paragraph 4.1.

3.0 DISCUSSION

- 3.1 Since Committee's resolution to grant planning permission at April's Committee meeting, the formal decision is yet to be issued, pending completion of a Section 111 / 106 Agreement between the Council and the applicant to secure a financial contribution of **£1,219,272**. Since the Committee meeting, dialogue between the LPA, the applicant and United Utilities (UU) has established that the exact location of a water main, owned by UU, and an appropriate easement is yet to be formally agreed. This is contrary to the LPA's understanding at the time of reporting the application to Committee Members.
- 3.2 Since a formal decision notice is yet to be issued, this affords the opportunity to apply the following condition that UU have since recommended, to the full permission element of the subsequent decision – no. 31 in sequence. This is in order to safeguard UU's asset water main from construction activity.

Asset Protection

No development shall commence (including any earthworks) until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall include a

survey of the exact location of the water main and outline the potential impacts on the water main from construction activities and the impacts post completion of the development and identify mitigation measures to protect and prevent any damage to the water mains both during construction and post completion of the development. The details shall include a pre and post construction condition survey. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason: In the interest of public health and to ensure protection of the public water supply, in accordance with Policies 8 and 9 of the Blackburn with Darwen Borough Local Plan Part 2.

- 3.3 Members are advised that the additional condition is both reasonable and necessary, in order to safeguard UU's asset during construction works, and that its imposition does not otherwise affect Committee's resolution to approve the application at the 22nd April 2022 meeting.

3 RECOMMENDATION

4.1 Approve subject to:

- (i) **Delegated authority is given to the Strategic Director of Place to approve planning permission, subject to an agreement under Section 106 of the Town & Country Planning Act 1990, relating to the payment of £1,219,272 including a monitoring fee of 12,072.**

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. KMHW.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 and 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.

31. No development shall commence (including any earthworks) until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall include a survey of the exact location of the water main and outline the potential impacts on the water main from construction activities and the impacts post completion of the development and identify mitigation measures to protect and prevent any damage to the water mains both during construction and post completion of the development. The details shall include a pre and post construction condition survey. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason: In the interest of public health and to ensure protection of the public water supply, in accordance with Policies 8 and 9 of the Blackburn with Darwen Borough Local Plan Part 2.

Outline Permission

32. 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.

33. 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.

34. 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.

35. 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.

36. 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.

37. 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.

38. 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.

39. 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.

40. 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.

41. 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.

42. 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.

43. 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.

44. 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.

45. 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.

46. 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 and 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.

47. 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.

48. 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.

49. 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.

50. 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.

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

6.0 DATE PREPARED: 13th May 2022