

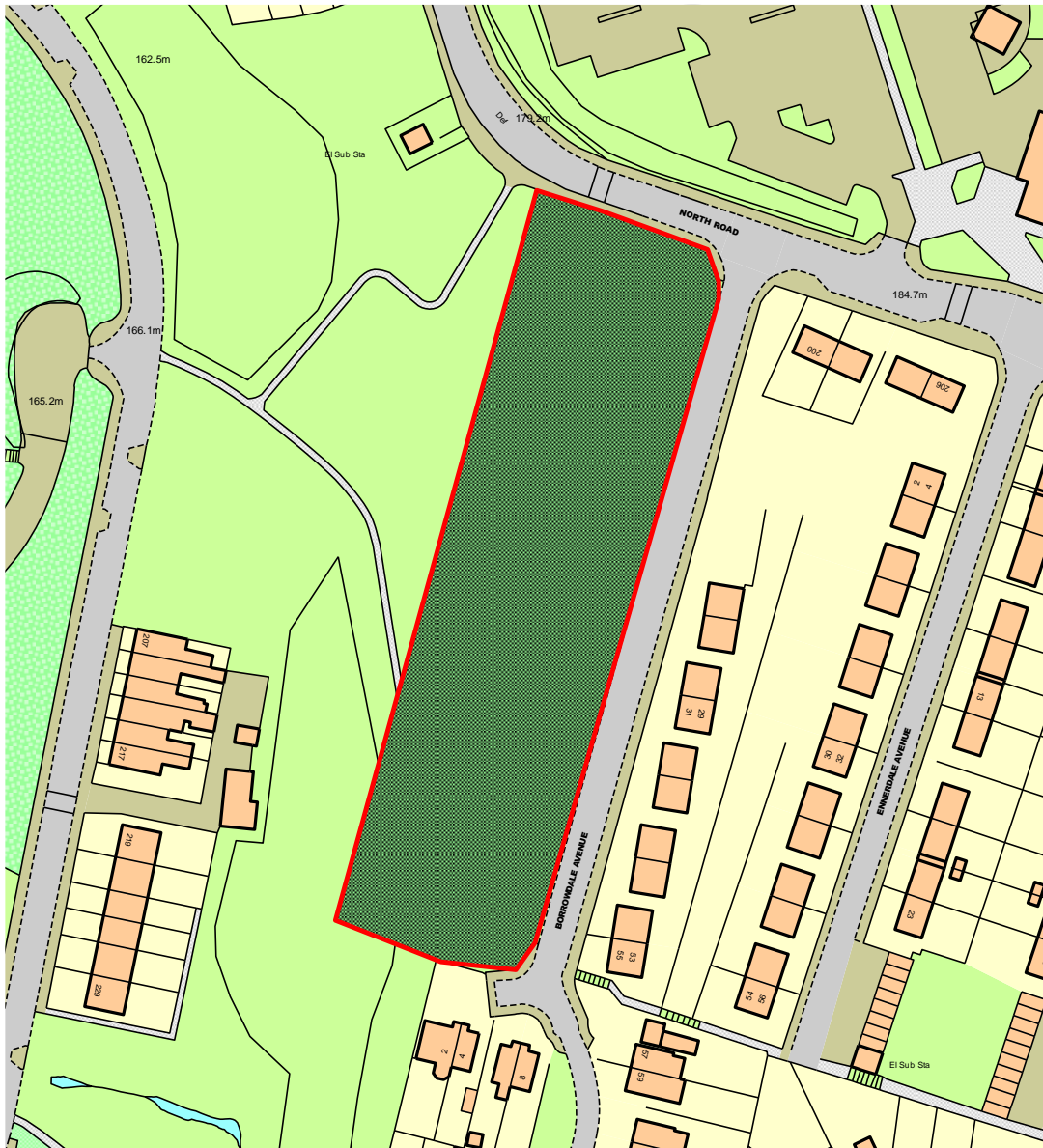
Proposed development: Erection of 13 no. bungalows

Site address: Land at Borrowdale Avenue, Blackburn, BB1 1PZ

Applicant: Cawder Construction

**Wards: Audley & Queens Park
Blackburn South East**

**Councillor Altaf Patel
Councillor Ehsan Raja
Councillor Salim Sidat
Councillor Tony Humphrys
Councillor Jim Shorrock
Councillor Vicky McGurk**



1.0 SUMMARY OF RECOMMENDATION

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

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

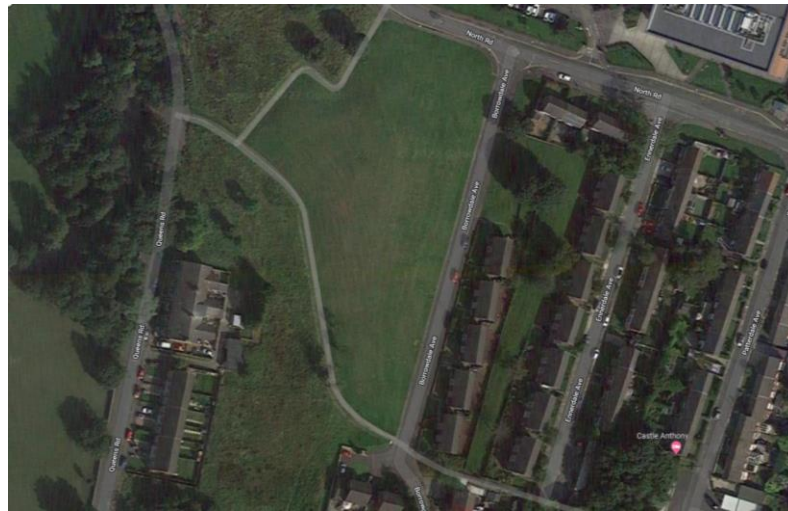
- 2.1 This application is presented to the Planning and Highways Committee, in accordance with the Council's scheme of delegation, and given that the site is within Council ownership. A number of public objections have also been received. The objections raised principally concern losses of public open space, the potential for residential amenity impacts to occur and existing problems regarding congestion locally. Concerns in the way of the house types proposed, surface water flooding, potential impacts on wildlife and ground contamination have also been cited in the comments made. A summary of the public comments made is detailed below in Section 7.13.
- 2.2 The proposed development has been publicised through letters to residents and occupants of the nearest 56 adjacent properties, on 16th March 2022. A site notice was also displayed outside of the site, on 11th April 2022.
- 2.3 The Council's development plan supports new residential development and associated works, provided they constitute sustainable development and accord with the development plan when taken as a whole.
- 2.4 The proposals would deliver 13 two-bedroom bungalows within a sustainable location for new housing development. Vehicle access would be gained directly from Borrowdale Avenue with double driveways and garden areas allocated for each dwelling. Land to the west of the dwellings would also remain undeveloped and retained as public open space.
- 2.5 On balance, the proposals would be satisfactory from a technical point of view, with all issues having been addressed during the course of the application process, or capable of being controlled or mitigated through appropriately worded planning conditions.
- 2.6 The key issues to be addressed in determining this application are;
- Establishing the principle of development
 - Assessing impacts on the Green Infrastructure allocation
 - Ensuring the design, layout and appearance of the dwellings is acceptable
 - Safeguarded the residential amenities of the immediate neighbours
 - Ensuring adverse impacts on the local highway network are avoided
 - Ensuring adequate parking provision is made
 - Finalising the drainage systems to be installed
 - Assessing the potential for ground instabilities and contamination
 - Ensuring ecological net gains are provided on site
 - Minimising the impacts of the development on air quality

3.0 RATIONALE

3.1 Site and Surroundings

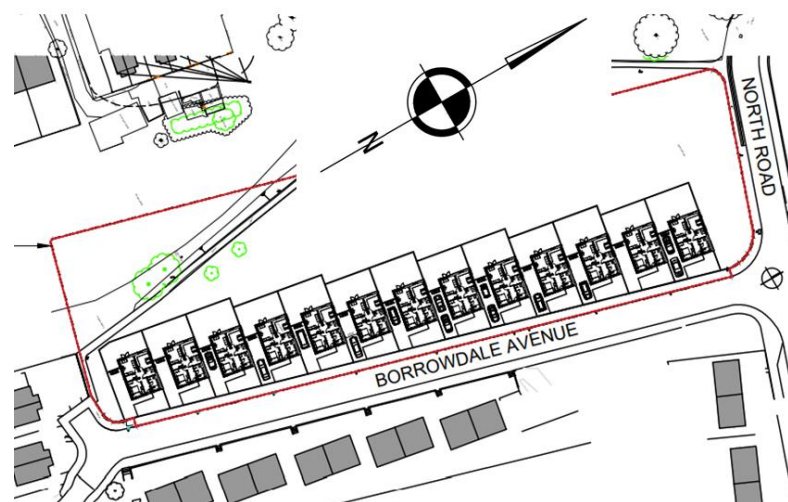
3.1.1 The application site is a plot of undeveloped land located within the defined urban boundary of Blackburn and the Queen's Park area Green Infrastructure allocation. The wider site covers circa an area of circa 2 acres with less than half of the land area proposed for development. Grass currently covers the site and it is interspersed with a small number of amenity trees. A footpath currently spans the south portion, which connects Borrowdale Avenue with Queens Road to the west, and beyond.

Figure One – Satellite image of the site



3.1.2 Relatively modern two-storey dwellings are positioned immediately to the south and east with dwellings of varying styles positioned further afield on Queens Road. More of the Green Infrastructure allocation is positioned immediately to the west with North Road defining the north boundary. A college is positioned beyond to the north.

Figure Two – Location Plan showing the general extent of the site



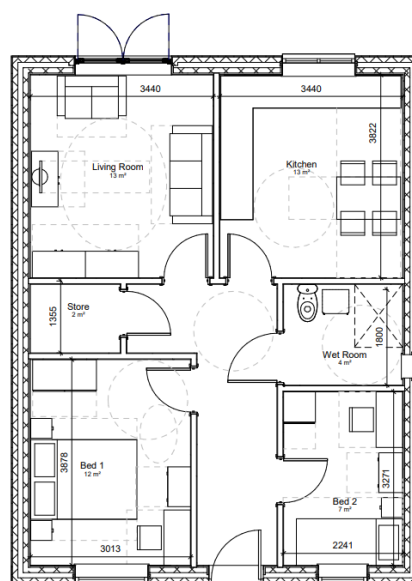
3.1.3 As detailed above, this planning application involves the erection of 13 two-bedroom dwellings. The dwellings would be affordable bungalows and the supporting information states that the accommodation will be provisioned for older people. Each dwelling would be afforded a double driveway, garden areas to the front and rear and bin storage areas at the top of the driveway, as shown below in Figure Three.

Figure Three – Proposed Layout for Plots 1-3



3.1.4 Each dwelling would have a footprint of circa 76 square meters and dual-pitched roofs up to 4.5m in height. The properties would have one double bedroom and one single bedroom together with kitchen areas, living areas and a wet room/shower room.

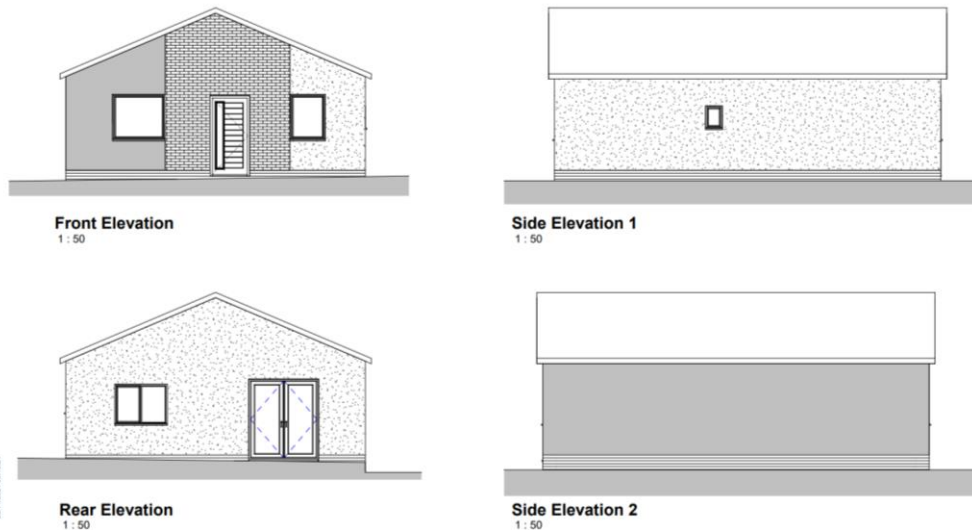
Figure Four – Proposed Floor Plan



Ground Floor Level
1 : 50

3.1.5 The dwellings would be constructed in a modern style with a varied palette of materials applied to their elevations. Bricks would be externally applied alongside white and grey painted render. Dark grey interlocking tiles would be used as the roofing materials. Any doors and windows installed would have white uPVC frames with a composite front door installed. Tarmac would be used to surface the proposed driveways with dark grey concrete paving slabs used for the footways.

Figure Five – Proposed Elevation Plans



3.2 Case Officer Site Photos



3.3 Development Plan

3.3.1 Core Strategy Part 1 (2011):

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

- Policy CS8: Affordable Housing Requirements

3.3.2 Local Plan Part 2 (2015):

- Policy 1: The Urban Boundary
- Policy 7: Sustainable and Viable Development
- Policy 8: Development and People
- Policy 9: Development and the Environment
- Policy 10: Accessibility and Transport
- Policy 11: Design
- Policy 12: Developer Contributions
- Policy 18: Housing Mix
- Policy 36: Climate Change
- Policy 38: Green Infrastructure
- Policy 40: Integrating Green Infrastructure with New Developments

3.3.3 Residential Design Guide Supplementary Planning Document (SPD) (2012)

3.3.4 Blackburn with Darwen Parking Standards (2014)

4.0 **ASSESSMENT**

4.1 Principle of Development

4.1.1 Within the development plan, there are general requirements to ensure new housing development is proposed in sustainable locations, and in accordance with market conditions. Policy 1 identifies the preferred location for all new development to be within the defined urban areas of Blackburn and Darwen. With specific reference to housing, those requirements are reinforced by Policy CS5 and the site benefits from such a location.

4.1.2 Moreover, services, facilities and regular public transport links are all within walking distance and the site is in a sustainable location for new housing development, thereby complying with the relevant requirements of Policies CS5 and 1.

4.1.3 Policy CS7 encourages the development of a full range of new housing in order to widen the choice available in the local market. An emphasis is placed on family housing yet meeting the needs of people on low incomes is also prioritised, which includes the target occupants for these dwellings. Policy CS8 requires all new residential development to contribute towards the identified need for affordable housing. Moreover, Policy 18 is generally supportive of proposals which provide affordable housing, including housing for older people.

4.1.4 Developments of 10 or more units consisting entirely of affordable housing are only acceptable in policy terms in exceptional circumstances. Older people's accommodation is to be provided as a stand-alone development and Policy 18 specially allows for such forms of residential units. The proposed development

is therefore acceptable in principle, in accordance with the relevant requirements of Policies CS5, CS7, CS8 and 18.

4.1.5 Specific concerns have been raised in public comments regarding the type of housing proposed yet it would ultimately be down to the site managers to ensure any prospective tenants are vetted, and potentially antisocial behaviour is minimised.

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

4.2 Green Infrastructure (GI)

4.2.1 As detailed above, the site is positioned within the Queen's Park area GI allocation. Policy 38 states that the Council's overall objective in relation to GI is to development a more connected network of open spaces. Those requirements are reinforced with a number of specific requirements that are detailed as part of Policy 40.

4.2.2 When assessing development proposals that involve the partial loss of land identified as GI, the relevant requirements of Policy 9 must also be taken into account, which include the following obligations;

- i) The development can be accommodated without the loss of the function of the open space;
- ii) The impact can be mitigated or compensated for through the direct provision of new or improved green infrastructure elsewhere, or through the provision of a financial contribution to enable this to occur, or;
- iii) The need for or benefits arising from the development demonstrably outweigh the harm caused, and the harm has been mitigated or compensated for so far as is reasonable.

4.2.3 When assessing impacts on the function of the GI allocation, its extensive size must be taken into account. Concerns have been raised in public comments regarding the partial loss of open space and the potential loss of a footway. However, the individual allocation includes swathes of land that surround Queens Park and these development proposals would only occupy a small part of it. Moreover, as is shown above in Figure Three, the footway that connects Borrowdale Avenue with Queens Road to the west would not be effected in any way. The overall function of the GI allocation would therefore be acceptably preserved, in accordance with requirement i).

4.2.4 In relation to requirement ii), a condition is recommended to agree the scope of a supplementary landscaping scheme for the entire site, including the remaining land to the west of the dwellings. Although the condition is primarily recommended to provide ecological enhancement measures in order to secure biological net gains, which is covered in a greater level of detail in subsequent

sections of this report, its outcome would also assist with the relevant requirements of obligation ii).

4.2.5 Moreover, a financial contribution of £18,000 has been agreed by the developer, which will be secured via a Section 111 Agreement under the 1972 Local Government Act. This is because the application site is Council owned, and as such, Section 106 Agreement would not apply. Those requirements are covered in a greater level of detail in subsequent sections of this report. Although the figure proposed is marginally below that requested by BwD Strategic Planning, the amount is deemed to be acceptable in the broader context of these affordable housing proposals. When those factors are considered collectively, the proposed development would be acceptable in relation to GI, in accordance with Policies 12, 38 and 40, together with the relevant requirements of Policy 9.

4.3 Design and Visual Amenity

4.3.1 The site is positioned within an urban area that has a relatively varied streetscene. That said, the dwellings along Borrowdale Avenue are broadly consistent in their style and any development proposals at this site must visually correlate with those buildings to a certain extent. In general terms, Policy 11 requires all development proposals to represent a good standard of design through demonstrating an understanding of the site's wider context and making a positive contribution to visual amenity. With regards to residential developments, those requirements are reiterated by the guidance contained within the Residential Design Guide SPD. The style and form of architecture must be influenced by the surroundings with designs complementing existing architectural features in the locality.

4.4 The surrounding dwellings are predominantly arranged in linear formations with their frontages facing towards their respective service roads. The layout shown on the submitted plans would broadly align with the urban grain of the surrounding area. In addition, the garden areas proposed are of an acceptable layout and proportion when related to the size of the host dwelling.

4.5 In relation to building heights, the Residential Design Guide SPD states that the building heights of new residential developments must relate to the form and proportion of the surrounding buildings and reflect the relative importance of the street. The surrounding buildings are two-stories in height and bungalows are proposed here. In such circumstances, the Residential Design Guide SPD does allow for a variation in heights in certain circumstances where this serves a purpose in the overall development concept.

4.6 When the fact that the proposed dwellings would be occupied by older people is considered alongside the relatively varied streetscene of the locality, the proposed bungalows would be acceptable in visual design terms. A minimal amount of openings are proposed for the side elevations yet their overall architectural style is acceptable given their affordable nature. The proposals are thus appropriate with reference to aspect, form and scale.

4.6.1 External construction materials are proposed that would appropriately harmonise with those of the adjacent dwellings on Borrowdale Avenue. A condition is recommended to control the quality and finish of those materials in order to ensure a satisfactory form of development is achieved. In addition, a condition is recommended to agree the scope of a hard and soft landscaping scheme in order to ensure the development positively integrates with its surroundings. A further condition is recommended to prevent certain forms of development being implemented under the provisions of permitted development. Such a condition is necessary in order to safeguard the character of the proposed dwellings alongside that of the wider locality generally.

4.6.2 Subject to compliance with those conditions, the proposed development would be acceptable in relation to design and visual amenity, in accordance with Policy 11 and the guidance of the Design SPD.

4.7 Residential Amenity

4.7.1 As detailed above, dwellings immediately surround to two sides and safeguarding the amenities of those neighbours is an important planning consideration. Policy 8 states that all development proposals must secure a satisfactory level of amenity and safety for surrounding uses and for occupants or users of the development itself.

4.7.2 Impacts in the way of noise, vibration, odour, light, dust, other pollution or nuisance, privacy/overlooking, and the relationship between buildings are all material considerations within Policy 8. In addition, the Design SPD details a number of standards and minimum separation distances to prevent any adverse impacts in that respect. Concerns have been raised in public comments given the potential for disruptions during the construction phase, losses of outlook and impacts on private views. It should be initially noted that losses of private views are not material planning considerations.

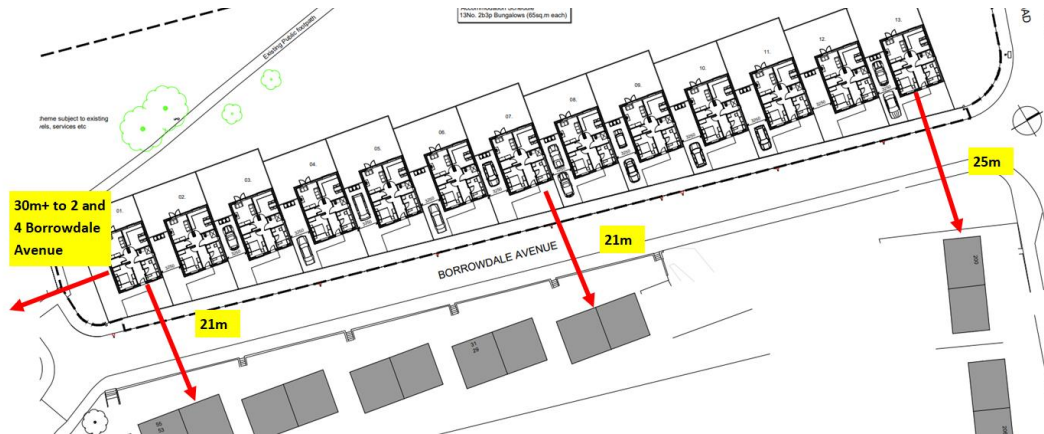
4.7.3 With reference to noise, the proposed dwellings would not cause an adverse level of noise disturbance for neighbours given the nature of the end use. Equally, there are no adjacent land uses that could potentially compromise the aural amenities of future occupants. A condition is recommended to control the logistics of the construction phase, as per the comments from BwD Public Protection. Further conditions are recommended to control and monitor any necessary pile-driving operations and external lighting sources, where relevant.

4.7.4 The separation distances involved between the existing and proposed dwellings are shown below in Figure Six. The distances involved are adequate to prevent the massing of the proposed dwellings appearing overbearing or adversely compromising the outlook of the immediate neighbours. The single-storey nature of the proposed dwellings would also assist with that arrangement.

4.7.5 Moreover, the distances involved would ensure the domestic privacy of the immediate neighbours is adequately safeguarded. A further condition is

recommended to prevent certain forms of development being implemented under the provisions of permitted development. Such a condition is necessary in order to safeguard the amenities of future occupants given the staggered and relatively constrained arrangement of the proposed dwellings.

Figure Six – Plan Showing Separation Distances Involved



4.7.6 Subject to compliance with the aforementioned conditions, the proposed development would be acceptable in relation to residential amenity, in accordance with the relevant requirements of Policy 8 together with the guidance of the Residential Design Guide SPD.

4.8 Highways and Parking

4.8.1 As detailed above, the site is currently undeveloped and each dwelling would be accessed via its own independent driveway. An overarching requirement for all development proposals to not prejudice road safety or the safe, efficient and convenient movement of all highway users is contained within Policy 10. Parking should also be provided in accordance with the BwD Parking Standards and two-bedroom dwellings must have at least two off-street vehicle parking spaces.

4.8.2 Concerns have been raised in public comments on various highways and parking grounds. It should be initially noted that the majority of the comments made in that respect relate to educational sites locally and the traffic associated with those uses. Such activity is limited to certain times in the day and elevated levels of traffic are commonplace in the context of large educational sites, such as high schools and colleges. The limited scale of the proposals would ultimately not contribute to existing congestion issues locally to an adverse extent and the comments provided by BwD Transport Planning accord with those findings.

4.8.3 BwD Highways have reviewed the merits of the proposals alongside the submitted Transport Statement. No material objections have been raised yet a number of shortcomings have been identified in the information presented. A condition is recommended to agree the scope of any required works of highways improvements. The red edge of the application site boundary extends to the carriageway edge Borrowdale Avenue and the scope of those works are likely to be limited to the formation of a footway (and associated infrastructure)

alongside dropped kerbs accessing the driveways. Compliance with the attached condition would adequately control those requirements.

4.8.4 With reference to visibility splays, the submitted Transport Assessment acknowledges that not all of the dwellings can achieve the optimum standards, as defined within the Manual for Streets. That said, the properties most effected by those limitations are either situated close to the junction with North Road or the end of the cul-de-sac where vehicles are unlikely to be travelling at high speeds. The visibility splays presented are therefore acceptable for these proposals. A further condition is recommended to prevent obstructions forming within the visibility splays and subject to compliance with that condition, an adequate level of visibility would be provided for motorists egressing the proposed driveways.

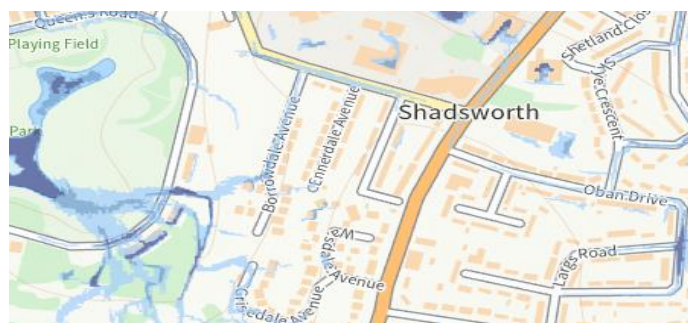
4.8.5 With reference to parking provision, two bays would be provided in tandem formation for each dwelling, in compliance with the BwD Parking Standards. Having scaled from the plans provided, the driveways would be of acceptable dimensions. A condition is advised to ensure the parking areas are constructed in support of the development. The provision of covered cycle storage is not necessary for this development when the intended occupants for these dwellings are taken into account.

4.8.6 When those factors are considered collectively, and subject to compliance with the aforementioned conditions, the proposed development would be acceptable in relation to highways and parking, in accordance with Policy 10 together with the BwD Parking Standards.

4.9 Flooding and Drainage

4.9.1 Owing to the topography locally, the site is not at any form of risk from fluvial flooding by watercourses. The carriageway of Borrowdale Avenue is at a low risk from pluvial flooding from surface waters yet the site itself falls outside of identified risk zone. Policy 9 contains general requirements regarding flood mitigation and the provision of adequate drainage systems. Concerns have been raised in public comments on flooding grounds. BwD Drainage have reviewed the proposals and the submitted drainage strategy. No objections have been raised yet shortcomings have been identified in the information presented. A condition is therefore recommended to further control the foul and surface water drainage systems to be installed.

Figure Seven – Surface Water Flooding Map



4.9.2 United Utilities have also reviewed the merits of the proposals and information has been requested by them prior to determination as a preference. Those requests have been forwarded to the Agent yet no supplementary details have been forthcoming. That said, conditions have been advised by United Utilities as a fallback option and the requirements of those conditions mirror the requests made by BwD Drainage.

4.9.3 It is recommended that versions of both of those conditions are added in order to achieve sustainable development and minimise the risk of surface water flooding. Subject to compliance with those conditions, the proposed development would be acceptable in relation to flooding and drainage, in accordance with the relevant requirements of Policy 9.

4.10 Land Stability and Contamination

4.10.1 With reference to potentially unstable and contaminated land, further requirements within Policy 8 state that all development proposals should secure effective remediation. This is to ensure a safe environment can be provided for any future occupants and to ensure contamination is not displaced. Concerns have been raised in public comments given the potential for the land to be unstable due to coal mine workings. Ground contamination has also been cited as a concern.

4.10.2 It should be initially noted that the site falls within a low-risk area for former coal mining workings. An informative note will be added to any approvals issued regarding the legal obligations of following the standing advice of the Coal Authority. No further assessments are therefore required in that respect.

4.10.3 With reference to the potential presence of ground contamination, BwD Public Protection have reviewed the merits of the proposals and no objections have been raised. The site is positioned above a former quarry so ground contamination must be accurately assessed.

Figure Eight – Plan Showing Historic Quarry Workings



4.10.4 In response to those requirements, BwD Public Protection have advised that the three standard land contamination conditions should be added to any approvals issued, which are recommended. Subject to such matters being satisfactory addressed through conditions, the proposed development would be acceptable in relation to land stability and contamination, in accordance with the relevant requirements of Policy 8.

4.11 Ecological Net Gains

4.11.1 As detailed above, the site is currently covered by grass with a few trees of low quality also found. Such vegetation generally provides a low level of ecological value. Further requirements within Policy 9 state that all development proposals should explore opportunities to provide ecological enhancements. Those requirements are now of an elevated level of importance given the statutory introduction of the Environment Act in 2021, which is now a material consideration for all relevant development proposals. BwD Strategic Planning have requested an assessment of net gains prior to determination alongside an uplift of 10% on site.

4.11.2 Again, those requests have been forwarded to the Agent yet no supplementary details have been forthcoming. That said, given the low ecological value of the site, a bespoke requirement is detailed within the recommended landscaping condition regarding the provision of ecological enhancement measures. The addition of more trees/shrubs on site complete with artificial nesting/roosting habitats would provide adequate mitigation in that respect when the current condition of the site is taken into account.

4.11.3 Subject to compliance with that condition, the proposed development would be acceptable in relation to ecological net gains, in accordance with the relevant requirements of Policy 9.

4.12 Climate Change and Air Quality

4.12.1 Policy 36 requires all development proposals to demonstrate how they have been designed to minimise contributions to carbon emissions and climate change. In response to those requirements, a condition has been advised by BwD Public Protection to ensure air quality mitigation measures are applied in the form of installing an electric vehicle charge point and efficient gas boiler, which is recommended to be added. Subject to compliance with that condition, the proposed development would be acceptable in relation to climate change and air quality, in accordance with Policy 36.

4.13 Wider Considerations

4.13.1 Further concerns have been raised in public comments regarding the potential for the development proposals to negatively affect property prices locally. However, such matters are immaterial to the assessment of planning application, as per the national requirements of Planning Practice Guidance. Fire safety is also covered at the Building Regulations stage.

4.14 Planning Gain/Section 106 Financial Contributions

4.14.1 A financial contribution of £18,000 is secured, following an agreement in principle between the Council and the Agent during the course of the application. A copy of the Planning Obligation Statement has been forwarded to Agent for signing. A signed copy will then be forwarded to the BwD legal team for authorisation. The amount suggested by the Agent has been agreed by BwD Strategic Planning and the monies will be used for the creation and/or enhancement of off-site open space provision. Committee are requested to grant planning permission, subject to agreement of those matters.

4.15 Summary

4.15.1 This application involves the erection of 13 two-bedroom affordable bungalows with associated parking and garden areas. Subject to appropriate conditions, the proposed development would be acceptable on all the relevant planning grounds, in accordance with the policies and guidance notes detailed in Section 3.3.

4.15.2 Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. Subject to appropriate conditions, the proposal would be acceptable in principle and in terms of GI, design and visual amenity, residential amenity, highways and parking, flooding and drainage, land stability and contamination, and climate change and air quality.

4.15.3 The proposed development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

5.0 RECOMMENDATION:

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

An agreement under Section 111 of the Local Government Act 1972, relating to the payment of £18,000.

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

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

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings: Location Plan (L[00] 01), L(1-) 01, L(1-) 02, L(2-) 01, L(2-) 02, L(2-) 03 and 2B3P.

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

3. No development commence on site unless and until, a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be exclusively limited to the following;
 - a) Details of proposals for supplementary landscaping around all aspects of the development;
 - b) Details indicating the location, arrangement, species, sizes, specifications, numbers, and planting densities of all new planting;
 - c) Details of ecological enhancement measures;
 - d) Details confirming the types and extents of any areas of hardstanding to be applied, and;
 - e) Details confirming the heights, types, and positions of any new boundary treatments, including fencing and gates;

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

REASON: In order to ensure that the development is adequately landscaped so as to integrate with its surroundings, in the interests of visual amenity and landscape quality, and to comply with the requirements of Policies 3, 11 and 41 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

4. Prior to the commencement of any above ground works on site, details confirming the exact type of all the external materials to be used in the construction of the development hereby approved, complete with details confirming the exact type of doors and windows to be installed, shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in strict accordance with the approved materials and details, unless otherwise agreed in writing.

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

5. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the Second Schedule of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), and following the issuing of this decision, no

development as specified in Classes, A, B, E and F of Part 1 of Schedule 2 of that Order, shall be carried out on any part of the site, without express planning permission first being obtained from the Local Planning Authority.

REASON: In order to prevent further outbuildings being erected within the site, in the interests of visual amenity, and to comply with the requirements of Policy 11 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

6. No development shall commence on site unless and until, a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be strictly adhered to throughout the construction phase, and it shall provide for, but not be exclusively limited to the following;
 - a) The parking of vehicles of site operatives and visitors;
 - b) Details of the sizes and types of vehicles to be visiting the site;
 - c) The loading and unloading of plant and construction materials;
 - d) The storage of plant and construction materials;
 - e) Details of construction working hours;
 - f) Measures to control noise and vibrations from construction works, where relevant;
 - g) Measures to control dust from construction works, where relevant;
 - h) A scheme for the recycling/disposing of waste, and;
 - i) Details of the type, position and height of any required external lighting.

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

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

7. Should any pile-driving works be required to construct the dwellings hereby approved, no development shall commence on site unless and until, a programme for the monitoring of noise and vibration generated during construction works has been 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. At each location, noise and vibration levels shall not exceed the specified levels in the approved programme, unless otherwise approved in writing.

REASON: In order to minimise disruptions for neighbours from the construction phase, in the interests of residential amenity, and to comply with the requirements of Policy 8 of the Blackburn with Darwen Borough Council

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

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

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

9. No development shall commence on site unless and until, a scheme detailing any required works of highways improvements has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme and none of the dwellings hereby approved shall be occupied until the approved measures have been provided in their entirety, unless otherwise agreed in writing.

REASON: In order to finalise the proposed access details and any required works of highways improvements, in the interests of highway safety, and to comply with the requirements of Policy 10 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

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

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

11. None of the dwellings hereby approved shall be occupied unless and until, the driveways as detailed on the approved plan 'L(1-) 01' have been constructed and completed in their entirety. The driveways provided shall thereafter remain in perpetuity with the development and be permanently available for the parking of vehicles associated with the occupants of the dwelling.

REASON: In order to ensure vehicle parking is provided in support of the development, in the interests of highway safety, and to comply with the

requirements of Policy 10 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

12. No development shall commence on site unless and until, a surface and foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include but not be exclusively limited to the following;
- a) Separate systems for the disposal of foul and surface water;
 - b) A detailed drainage strategy, which demonstrates that the post-development surface water discharge rate to any soakaway, watercourse or sewer does not exceed the pre-development (greenfield) rate. The drainage strategy shall include details of the peak surface water runoff for a 1 in 1 year rainfall event and a 1 in 100 year (+40% climate change allowance) rainfall event, and shall demonstrate that the peak post-development runoff rate does not exceed the peak pre-development greenfield runoff rate for the same event;
 - c) Details of Sustainable Drainage Systems, where relevant;
 - d) Details of any necessary flow attenuation measures;
 - e) Details of measures to be taken to prevent the flooding and pollution of any receiving groundwater and/or surface waters (including watercourses) and any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution;
 - f) Flood water exceedance routes, both on and off site;
 - g) Means of access for maintenance and easements (where applicable), and;
 - h) A timetable for implementation, including any phasing works.

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

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

13. None of the dwellings hereby approved shall be occupied unless and until, a sustainable drainage management and maintenance plan for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include but not be exclusively limited to the following;
- 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: In order to ensure that management arrangements are in place for the sustainable drainage systems installed, to manage the risk of flooding and pollution during the lifetime of the development, and to comply with the requirements of Policy 9 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

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

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

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

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

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

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

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

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

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

17. None of the dwellings hereby approved shall be occupied unless and until, the following air quality mitigation measures have been provided in their entirety, unless otherwise agreed in writing by the Local Planning Authority;
- a) There shall be one electric vehicle charging point at each dwelling with a garage or other off-road parking. An appropriate charging point will have a Type 2 connector and a minimum rating of 3.7kW 16A. External points will be weatherproof and have an internal switch to disconnect electrical power, and;
 - b) Gas fired domestic heating boilers shall not emit more than 40mg NO_x/kWh

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

6.0 PLANNING HISTORY

- 6.1 No relevant planning history.

7.0 CONSULTATIONS

- 7.1 BwD Strategic Planning – Section 106 agreements;

(Highways) Any site access works would be delivered via S278 works (secured by a suitable planning condition). Therefore there would be no highways contribution requested within the s106 agreement.

(Green Infrastructure/Public Open Space) The policy requirement is for £1,406 per unit to be provided as a contribution towards off-site public open space – a total of £18,278.

(Education) A future shortage of primary school places has been identified in the SE Blackburn area. A developer contribution is however not sought in this instance, as the proposed bungalows are not family dwellings.

(Monitoring Fee) A monitoring fee of 1% would be added to the s106 contributions. If the S106 requirements cause concern in terms of development viability, the applicant must provide a viability appraisal which illustrates why all or part of the requested commuted sums cannot be achieved. The submitted viability appraisal would need to be independently reviewed at a cost of £1,860 for a scheme of this size (to be funded by the applicant and commissioned by the Council). This advice is provided on the assumption that the new dwellings are affordable in perpetuity.

(Biodiversity Net Gain) An assessment of biodiversity impact should be undertaken and submitted with the planning application, demonstrating at least 10% net gain. If this cannot be achieved on site, an appropriate commuted sum contribution towards appropriate off-site biodiversity net gain would be necessary.

7.2 BwD Public Protection – No objections. Should this application be approved, conditions should be imposed to control the risks associated with ground contamination, air quality mitigation measures, sources of external lightning, the logistics of the construction phase, and noise and vibrations associated with pile driving works, where relevant. Informative notes should also be added regarding legal obligations in the way of ground contamination, light pollution and construction noise.

7.3 BwD Highways – 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.

(Access/Layout) Each property will have individual drives, and be accessed off Borrowdale Avenue. These will properly constructed vehicular crossings. Contact to be made with the Local Highway Authority for consent and construction. All drives should adhere to the sightlines as set out in the Transport Statement. They should also comply with the pedestrian sightlines which are: 2.4m (from back of footway) x 3.3m left and right splay (at no more than 600mm above road level). Frontage boundary treatment should not affect visibility splays.

There is no existing footway to the frontage of the site this is to be provided within the site and presented for adoption. (this should all associated works, and should include street lighting, gullies etc.) Please condition.

(Transport Assessment) The document has been reviewed – this is deemed acceptable.

(Parking) The scheme proposes to deliver 13 2 bed properties. The requirements for parking are in accordance with the councils approved adopted standards, which requires: 2 bed – 2 car spaces and 2 secure cycle spaces per dwelling. The car parking supporting the dwelling houses is being contained within the curtilage of each property. Each car space on the drive should be 5.5m in length. Please confirm.

(Other) A Construction method plan has been received, however no statement has been provided with a narrative - please request information or condition for submission. Footways around the periphery of the site, are to be made good, up to modern adoptable standards, this include street lighting, lining and any associated works.

- 7.4 BwD Transport Planning – This application does not meet the threshold for a full travel plan and the proposed development would not have any major vehicle trip impact.
- 7.5 BwD Drainage – No objections. Should this application be approved, a condition should be imposed to control foul and surface water drainage provisions. Such a condition is necessary in order to ensure that the development is not at risk of flooding and does not increase flood risk elsewhere.
- 7.6 BwD Arboricultural Advisor – There are no trees of any merit that are likely to be affected by the proposals, therefore I have no objection. A sustainable landscaping scheme would be beneficial to the site and also be in accordance with Council Policy.
- 7.7 BwD Housing Growth – The Housing Growth Team welcomes the proposal, as there is a considerable demand for bungalows within the borough. Development of these properties for affordable rent will meet some of that demand. The principle of residential dwelling responds to the aspiration and need of residents in the borough and is in line with the Council's growth strategy. The Housing growth team support the application subject to proposals meeting planning policy requirements.
- 7.8 BwD Property Services – No objections.
- 7.9 BwD Cleansing – No objections.
- 7.10 United Utilities – We request that the applicant submits a plan outlining the proposed levels (including finished floor levels and ground levels) shown in metres above Ordnance Datum and an indicative foul and surface water

drainage strategy (including cover and invert levels). It is our recommendation this information is submitted for our review prior to determination so that any risk of sewer surcharge can be further assessed.

The applicant should note that it may be necessary to raise finished floor and ground levels and / or include mitigation measures to manage the risk of sewer surcharge. Also noting that this is a Full application, we request that the applicant provides a detailed drainage plan, and that United Utilities has the opportunity to review and comment on this plan prior to determination of this application.

Alternatively, appropriate conditions should be imposed regarding the submission of details of a sustainable surface water drainage scheme and a foul water drainage scheme. A further condition should be added regarding the submission of a sustainable drainage management and maintenance plan for the lifetime of the development.

7.11 Ward Cllrs – No objections.

7.12 Lancashire Fire and Rescue – Recommendations must be included if this application passes to another party prior to Building Regulation submission.

7.13 Summary of Public Responses

- Social housing is proposed, which may change the area's social character
- Losses of public open space would occur
- Footpaths may be obstructed
- The dwellings may not be maintained well
- Outlook may be adversely effected
- Private views would be obstructed
- Disruptions may be caused from the construction phase
- Traffic is a problem in the area
- The proposals may exacerbate those issues
- The proposed driveways are too narrow
- The site is prone to flooding
- Local wildlife may be adversely effected
- The site may be contaminated
- Coal mine workings are beneath the site
- Property prices may be effected locally

8.0 CONTACT OFFICER: Christian Barton – Planning Officer

9.0 DATE PREPARED: 12th May 2022

10.0 SUMMARY OF REPRESENTATIONS

Objection – June Thomas, 69 Borrowdale Avenue, Blackburn, BB1 1PZ. Received: 05/04/2022.

- *This land has been investigated before to build on and found unsuitable but apparently no record of this . Why! There is an oily residue seeping further back onto the path , has this been considered ?
 - * Property prices would be reduced and I am a very concerned owner .
 - *it is a beautiful green space with benefits for wildlife deer , birds etc *Traffic is extremely chaotic at this area as witnessed by local councillor Salim Patel when we met on another concern.
 - *The local senior school is a major area of concern for Health&Safety .
 - * It's been an area of concern for a long time the manner in which cars park for school purposes and nothing has been done about it . Travelling along North Rd is very treacherous and I have often found my access to get to my property restricted even though only trying to get home/ leave for appointments.
 - * The proposed no 13 would be extremely close to the junction , the current traffic guidance i.e. mini roundabout is continuously ignored by drivers . In wintry weather the access onto North Rd is extremely difficult as Borrowdale Avenue is not treated by council .
 - * The current tenants in Together Housing are only able to park on carriage way so access for emergency vehicles completely comprised, current yellow line restrictions are ignored and even with parking spaces provided there will be no room for visitors to park safely .
 - *The site map shows that the path leading down too Queens Rd would be affected . This is a busy path with school children ,workers , dog walkers and general public. I know as I regularly litter pick this area.
 - * The outlook for houses no's 2-8 would be severely compromised compared to what they have now , 1 house is even called Outlook House which would certainly change .
 - * The dwellings are for over 55yr and I feel their driveways would be difficult to manoeuvre with the local traffic/ residents .
- I hope these points of concern will be taken into consideration regarding the above application and I'm sure there may be others not listed .
-

Objection – Clair & Chris Seed, 2 Borrowdale Avenue, Blackburn, BB1 1PZ. Received: 06/04/2022.

We have concerns in respect that we understood that the land was not suitable for development and a point in purchase was peace, quiet, open view of Blackburn which we feel is a valuable environment as once it's gone it's gone and there are not many left which Covid has emphasized is a commodity.

With mining works beneath and the constant wet/spongy conditions previous applications have always failed with previous building on the opposite side of the avenue being knocked down due to the unsuitable land. The depth of piling that would be required due to the variability of the land would be extremely stressful to residents and the noise could possibly give rise to compensation claims as the building would be incredibly close to existing properties.

Social housing does impact residents in private housing in a number of detrimental ways as well as the financial implications which we think will be detrimental.

The existing volume of traffic from the school and vocational college plus the building traffic over the building period plus the long term volume of cars and traffic and parking spaces will impact greatly access to our properties.

Our property in particular will be greatly impacted view wise from the build of these properties and it will completely obliterate our outlook and replace it with a side view of a row which is worse than a front aspect. The current rental properties have a poor exterior space maintenance record, both gardens and rubbish and these properties will not help.

Objection – Daniel Broughton, 59 Borrowdale Avenue, Blackburn, BB1 1PZ. Received: 07/04/2022.

We would like to object to the plans made for the proposed building of 13 bungalows on Borrowdale Avenue.

The planning for properties to be built on this land has been previously declined mainly through the efforts of our neighbour Kay Livingston at number 2. We live at 59.

The land itself is a safe haven for our children in the immediate vicinity or surrounding area to play on. It has long been a road where families have moved specifically due to the very low volume of traffic leading to a safe environment for our children to express themselves without being faced with any dangers from drivers, people only come onto the estate that need to be there.

Furthermore, the land itself is liable to flooding and even in the hottest of summers was very marshy. I believe that the previous surveys have decided that the land is not fit to be built on. Anecdotally one of our neighbours has had to go to considerable expense as the footings for the build very significant. I believe that this in itself is sufficient reason to not waste monies in the proposed build. The flood water currently runs off down the path and into the park and on rainy days this can be substantial almost akin to a small stream, though the plans have suggested where the water goes, the building of these properties will add to the issues of flooding.

Has the land been surveyed for the mines that run underneath? Hence the staining of the paths leading towards the park.

Feel that no consideration has been given to the current residents for noise, dirt, inconvenience, loss of house value?

What are the proposed builders planning on to compensate the current residents for these losses?

This is not NIMBYism as if they have to be built then fine and Together Housing as one the largest social landlords provide a good service to the local community. My partner and I were looking to move as house prices have risen considerable for this area, Since the plans have been released one property has been on sale for some time mainly when asking the vendor due to the planning application. If these the case then we would have to sell for less than market value to move.

Please can some consideration be given to people already rising here.

On looking at the details online, there is no indication of when meetings will take place, the frustrates anyone who is looking to object in person to this application. Also most of the documents are the same so to a lay person it looks as if its just been placed there to confuse.

This is written without prejudice and a response would be favourable.
