

PLANNING & HIGHWAYS COMMITTEE
THURSDAY 18th AUGUST 2022
UPDATE REPORT

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

10/22/0038 Warehouse at Hacking Street, Darwen

Members will be aware that within the main report at para 6.3, the Council's highways officer, suggest a temporary use of 2 years is applied to monitor the situation. This has been considered in detail by officers during the assessment, however it is considered that the investment being made in terms of bringing the building back into use, and the overall planning balance as set out in the main, it is considered that a temporary permission is not necessary in this particular case.

10/22/0419 Knowsley Farm, Knowsley Lane, Edgworth

Concerns have been raised in public comments that are not specifically covered in the committee report. Those involve the potential for the proposed turbine to reduce the value of nearby property prices and cause harm to the welfare of livestock grazing in adjacent fields.

Potential reductions in property values from development are not material planning considerations, as per the requirements of national Planning Practice Guidance. Furthermore, the proposals would have no harmful impact upon the welfare animals in adjacent fields given the height at which the turbine would be installed. Those comments therefore have no material influence on the recommendation to approve the application.

10/22/0509 Land and properties north of Billinge End Road, Blackburn

Reference is made in paragraphs 3.5.10 and 3.5.11 of the main report, that there is no reference in the submitted tree protection plan to no dig areas within the rooting area of trees T4, T15, T27 and T34, but these areas were not shown on the plan. The applicant's agent submitted a revised plan on the 15th August, extracts as follows:



The Council's Arboricultural Consultant has reviewed the details. The protection plans Rev H, now show areas of no dig in all places where no excavation is to take place. Although it is accepted that in some areas of new driveways there will be minimal roots due to the existing driveways, as in T4 and T34, it is considered this is not the case for T15 and T27. No dig areas are shown on the plan, but it was expected to see a specific method of some kind of above ground cellular confinement system that describes how these are going to be constructed as no dig. The driveway to the west of T15 will be wider than the original driveway and therefore much closer to the stem and the drive to the north of T27 is to cover a larger area than the area of hardstanding driveway that was existing. These two areas do not look to be minimal. The report does not mention no dig and therefore this and the drawings submitted now contradict each other.

The updated arboricultural method statement does however show the new layout, all amended protective fencing and areas where no dig are required. All

queries have been addressed and the removal of the trees is now clear. Trees are adequately protected with details of areas where specialised mitigation measures are proposed for the trees, so therefore this discharges the Condition Nos 4 and 10. The landscape plans show adequate planting for the loss of trees on this with regards to Condition no.11.

There is just the minor construction detail, which will specify how the areas of no dig are going to be constructed to avoid excavating into the ground, which can be controlled by a separate stand-alone condition (no.24) being imposed. In addition, the drawing reference numbers need to be revised in relation to Condition Nos 10 and 23, as follows:

10. The development hereby approved shall be undertaken in accordance with the tree protection measures and working practices detailed within the arboricultural method statement dated 3rd August 2022 (reference: DEP Landscape Architecture Ltd job 3931, rev C), and “ tree protection plan 1 and 2”, drawing ref: 3931 06 rev H, received on the 15th August 2022, unless otherwise agreed in writing by the Local Planning Authority.

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

23. This consent relates to the submitted details marked received 24th April 2018, the bat emergence survey received 20th June 2018, AIA and AMS dated 3rd August 2022, and drawings no. 3931 03 F 1 of 2, 3931 04 F 2 of 2, 3931 05 F 1 of 2, 3931 06 rev H 1 of 2, 3931 06 rev H 2 of 2, BB283-800, BB283-801, BB283-802, BB283-803, BB283-810, BB283-811, BB283-812, BB283-813, 153 001 P, 153 002 P, 153 003 P, 153 004 P, received 31st May 2022, and to any subsequent amendments approved in writing by the Local Planning Authority

REASON: To clarify the terms of this consent.

24. Within one month of the date of this decision, further details with regards to the no dig areas to T15 and T27 as specified in the protection plan 3931 06 Rev H 1 of 2, and 3931 06 Rev H 2 of 2, as referenced in Condition Nos 10 and 23, shall be submitted to and approved in writing by the local planning authority. Such details shall include the specific method relating to the above ground cellular confinement system describing how these are going constructed as no dig. The development shall be carried out in accordance with the approved details.

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

10/22/0682 27 Livingstone Road, Blackburn

Regarding Section 4.1.6 of the committee report, the Agent has provided further details in relation to the retaining structure required to support the proposed raised garden levels, as follows;

As the plans have not been approved we have not appointed a structural engineer, however due to site constraints we are anticipating the retained wall to be built up from concrete blocks in mass to the engineers design. Due to the terrain of the site accurate measurements are not possible, however in terms of levels ours will mirror the neighbouring retaining wall which is approximately 2.8m in height. The wall will be built from concrete blocks and be rendered with sand and cement.

The provision of such information is adequate to overcome any shortcomings in the information currently available. The site back on to allotments, which are locked and predominantly concealed from the perspective of the public domain. Given those site characteristics, the construction of retaining structures up to approximately 2.8m in height would not be harmful to visual amenity. A further condition is recommended in order to control those elements given their relatively significant scale. It should also be ensured that the retaining structures are finished with an appropriate material for visual design reasons.

Condition 5:

Prior to their construction, detailed plans of the retaining structures required to facilitate the raised garden levels hereby approved, together with structural engineers calculations (where relevant) and details of external finishes, 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 agreed details and materials.

REASON: In order to agree the scope of those works, 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).

**Gavin Prescott,
Planning Manager (Development Management)
18th August 2022**