

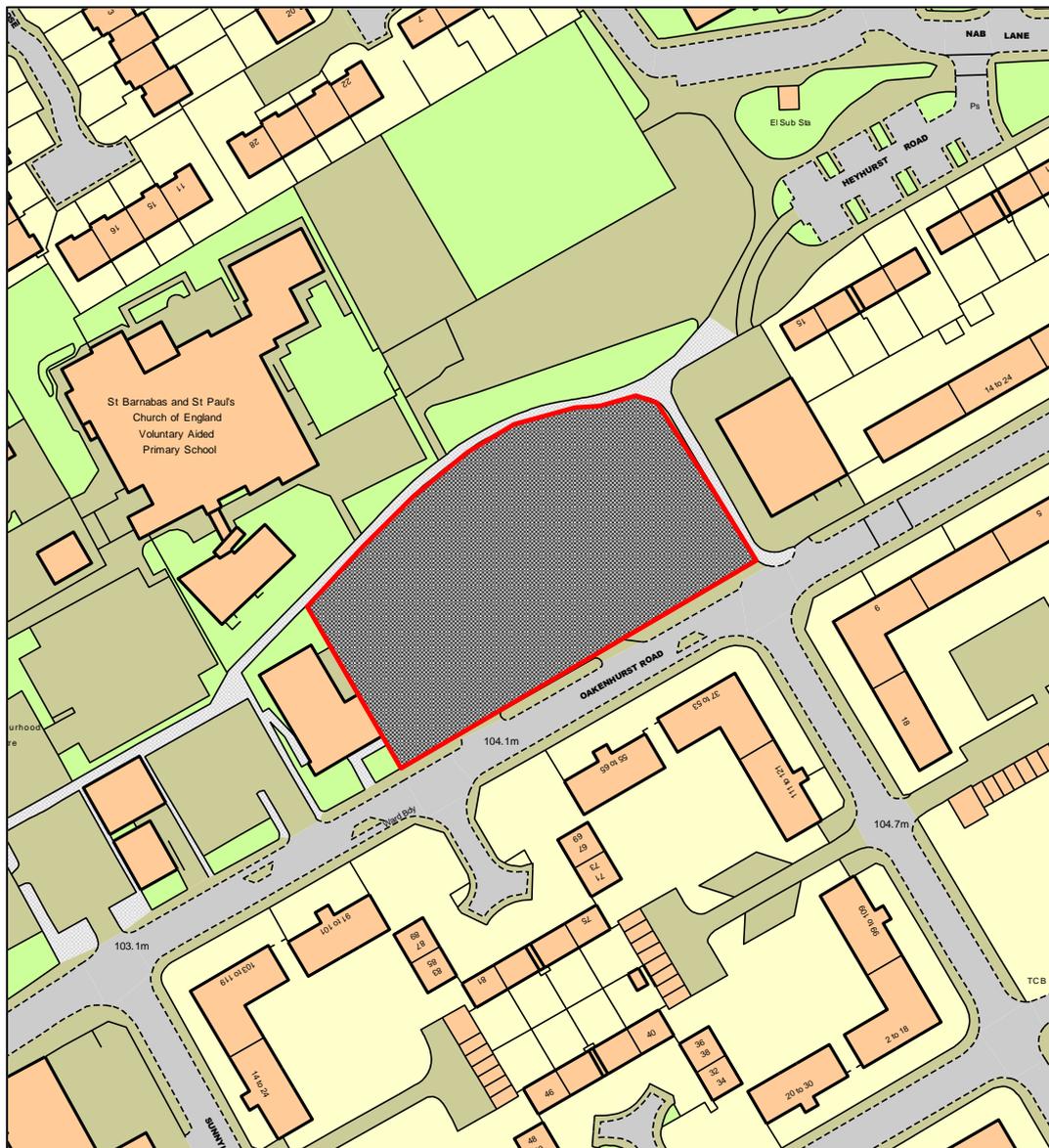
Proposed Development: Variation of Condition No 2 pursuant to planning application 10/19/0706 "Demolition of Former Health Centre and construction of 5 storey Apartment Block consisting of 76 no, 1 and 2 bedroom apartments with associated car parking" to amend internal layout and external appearance

Site Address: Palm Tree Islamic School (Former Montague Health Centre), Oakenhurst Road, Blackburn, BB2 1SN

Applicant: Homewood Properties

Wards: Wensley Fold

**Councillor Qesir Mahmood
Councillor Dave Harling
Councillor Sabahat Imtiaz**



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

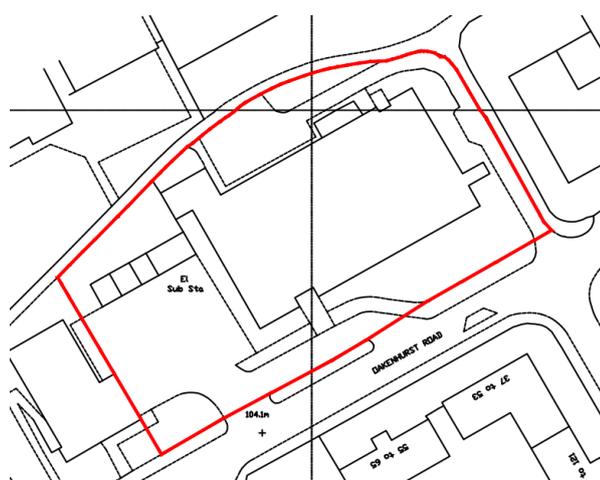
- 2.1 This application is presented to the Planning and Highways Committee, in accordance with the Council's scheme of delegation. The application involves the implementation of numerous changes in accordance with Section 73 of the 1990 Town and Country Planning Act, to an extant permission (10/19/0706) that was previously presented to the Committee in December 2019, as it is classed as a "significant major development". Much of the narrative provided below is taken directly from the Committee report produced for the 2019 application.
- 2.2 The proposed development has been publicised through letters to residents and occupants of the nearest 26 adjacent properties, on 12th July 2022. A site notice was also displayed outside of the site, on 23rd August 2022. No public comments have been received for the application so far, yet a number of consultee responses have been provided. A summary of those responses is detailed below in Section 7. Should any further comments be made ahead of the committee meeting, they will be presented as part of a committee update report.
- 2.3 The Council's development plan supports new residential/educational development and associated works, provided they constitute sustainable development and accord with the development plan when taken as a whole.
- 2.4 The initial proposals involved the construction of five-storey apartment block consisting of 76 1 and 2 bedroom apartments. An associated carpark and rooftop garden area was also proposed. These proposed variations involve the application of amendments to the internal layout and external appearance of the apartment block.
- 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 together with the signing of the s106 agreement to ensure suitable persons occupy the apartments.
- 2.6 The key issues to be addressed in determining this application are;
- Principle of development;
 - Highways and Access;
 - Design and Layout;
 - Amenity impact;
 - Drainage;
 - Affordable housing and planning contributions; and,
 - Biodiversity

3.0 RATIONALE

3.1 Site and Surroundings

The application site is approximately 0.38Ha in area and accommodated the former Montague Health Centre located on the north side of Oakenhurst Road, Blackburn. The building was last in use as an Islamic school and was demolished in 2018, under application 10/18/0681.

Figure One – Submitted location plan



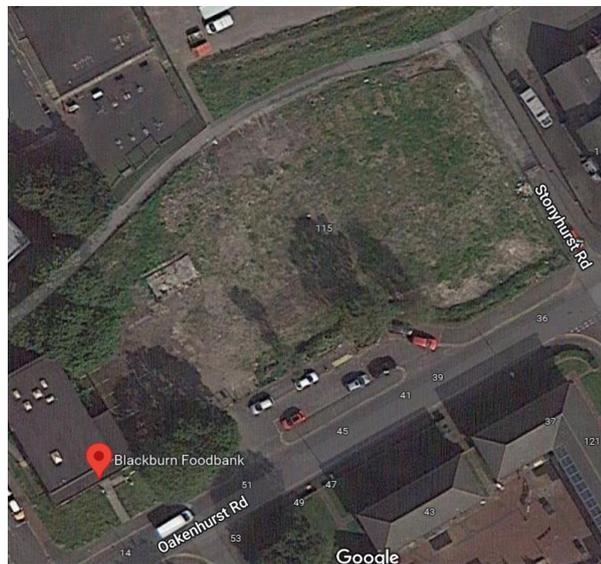
3.1.1 The former Montague Health Centre building was purpose built around 1970, and while undergoing various internal alterations, the building remained largely as originally constructed externally. The building was two-storey with a flat roof, facing brick walls and regular fenestration. The building while not actually ugly, was somewhat non-descript and uninviting. Its construction was solid, comprising a masonry steel reinforced structure with concrete roof and floors. The internal layout was an array of small consulting type rooms around larger waiting spaces.

Figure Two – Photograph of previous building



- 3.1.2 Externally, there are tarmac areas to the side and rear for vehicle parking and grassed areas to the front and rear. To the north and north/west of the site is St Barnabas and St Paul's Primary School, the school buildings are away to the west and the site bounds the play areas.
- 3.1.3 To the south are substantial three-storey residential apartment blocks with steeply sloping pitched roofs, which provide significant scale. To the east is a former public house, now used as a retail unit with residential accommodation at first floor, and to the west is a council/community facility building of two storeys operating as Blackburn Food Bank. The site has direct access onto Oakenhurst Road for vehicles and pedestrians and is currently enclosed by tall green paladin fencing.

Figure Three – Satellite image of the site (taken 2022)



3.2 Proposed Development

- 3.2.1 As detailed above, the original planning application was for the construction of a five-storey apartment block comprising 76 1 and 2 bedroom apartments, within a secured site. The building is to be operated by the Applicant and a 24 hour concierge is to be available.
- 3.2.2 The roof of the building is to accommodate a roof top garden area. Cycle parking and refuse storage would occupy part of the ground floor area together with service areas. Car parking would be provided to all four sides of the building. 56 car parking spaces are proposed, including 6 bays for disabled drivers. The site would have a sliding electronic gated access with a conventional hinged gate proposed for the exit. A one-way system would be operated internally with vehicles entering at the southwest corner.

Figure Four – Proposed site plan



3.2.3 The proposed amendments, the subject of the current application, involve changes to the internal layout, external construction materials and window arrangements. Changes would be applied to the shape of the building at roof level. The layout of the apartments would be amended on all five levels. Slight amendments would also be applied to the service areas. The overall quantity of apartments and number of bedrooms would remain unchanged. Three standardised apartment types would be applied, Types A-C. Type A would have one bedroom with Types B and C having two bedrooms.

3.2.4 The building approved would have been predominantly brick faced with areas of cladding proposed for the gable stairwell shafts. This application involves the use of a more varied pallet of materials with bricks, render and horizontal cladding applied. A plant room would be formed on the roof together with lobby areas serving the rooftop garden. Changes to the door and window arrangements are proposed to all four elevations with a less regular arrangement proposed to the front and rear. The glazed balustrade enclosing the roof would be retained. Polyester powder coated cladding would also be applied to the corners and eaves lines.

Figure Five – Approved front (southeast) elevation



Figure Five – Proposed front (southeast) elevation



3.3 Case Officer Site Photos



3.4 Development Plan

3.4.1 Core Strategy Part 1 (2011):

- Policy CS1 – A Targeted Growth Strategy
- Policy CS5 - Locations for New Housing
- Policy CS6 – Housing Targets
- Policy CS7 – Types of Housing
- Policy CS16 – Form and Design of New Development
- Policy CS15 – Protection and Enhancement of Ecological Assets
- Policy CS20 – Cleaner, Safer, Greener
- Policy CS21 – Mitigation of Impacts/Planning Gain
- Policy CS22 – Accessibility Strategy

3.4.2 Local Plan Part 2 (2015):

- Policy 2 – The Inner Urban Area
- 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 19 – Apartment Development and Housing Developments
- Policy 36 – Climate Change
- Policy 40 – Integrating Green Infrastructure & Ecological Networks within New Development

3.4.3 Supplementary Planning Documents/Guidance

- Houses in Multiple Occupation and Apartment Development SPD
- Residential Design Guide
- Air Quality Planning Advice Notice
- Parking Standards
- Technical housing standards – nationally described space standard

3.5 Other Material Considerations

3.5.1 The most relevant national policy and guidance is contained within;

- National Planning Policy Framework
- Planning Practice Guidance

3.5.2 The Legislation relevant to the proposals is as follows:

- Town and Country Planning Act 1990 (as amended)
- The Planning and Compulsory Purchase Act 2004
- The Crime and Disorder Act 1998
- Conservation of Habitats and Species Regulations 2017

4.0 **ASSESSMENT**

4.1 Principle of Development

4.1.1 The principle of development was established under application 10/19/0706 and these proposed alterations do not conflict with that position. The application is subject to a completed Section 106 agreement that runs alongside the operations of the development. Therefore, the proposed variations do not conflict with the principle of development, in accordance with the aforementioned housing policies. For clarity, there are no conditions to duplicate from the original consent concerning the principle of development. However, there is no clause in the original S106 Agreement, dated 28th September 2020, to allow for any subsequent variation of condition applications under Section 73 of the 1990 Town & Country Planning Act. As such, the current application if approved, would be subject to a Deed of Variation to the original S106 Agreement.

4.2 Highways and Access

4.2.1 As detailed above, the overall quantity of apartments and bedroom numbers has remained unchanged. The site would also be served with the same number of parking spaces and manouvering areas. Highways impacts were appraised at length under application 10/19/0706 and these proposed variations would not materially alter those positions.

4.3 Design, Layout and Visual Amenity

4.3.1 In comparison to application 10/19/0706, changes to the shape, window arrangement and external construction materials are proposed. The building would form a standalone element within the streetscene architecturally. It would be set alongside other relatively tall apartments buildings. Any changes to its shape would be largely unnoticeable when compared with the proportions and style of the approved building.

4.3.2 Bricks and render have been used in abundance locally for similar forms of development. Horizontal cladding is less common yet the limited use of that material would not compromise the aesthetical qualities of the development or streetscene. Moreover, the amended fenestration would provide design improvements when the regularity of the original consent is taken into account.

4.3.3 Concerns have been raised by BwD Cleansing regarding the number of bins shown on the submitted plans. Such details are purely indicative at this stage and the required number of bins would ultimately be determined once the development is operational. Those comments therefore have no material influence on these proposed amendments.

4.3.4 Subject to the relevant conditions being duplicated from the original consent, the proposed development would be acceptable with reference to design, layout and visual amenity, in accordance with Policy 11.

4.4 Amenity Impact

4.4.1 The amenity impacts associated with this development were appraised at length under application 10/19/0706. The revised internal layouts accord with nationally prescribed space standards for the type of accommodation proposed. Moreover, no harmful impacts would be caused for the immediate neighbours from the proposed changes to the shape of the building and window arrangement when the impacts of the approved building are taken into account.

4.4.2 The Coal Authority have reviewed the merits of the application and no objections have been raised, under the proviso that Condition 5 from the original consent is duplicated. Subject to any other relevant conditions being duplicated from the original consent, the proposed development would be acceptable with reference to amenity impact, in accordance with Policy 8.

4.5 Drainage and Flood Risk

4.5.1 Subject to the relevant conditions being duplicated from the original consent, the proposed development would be acceptable with reference to drainage and flood risk, in accordance with Policy 9.

4.6 Biodiversity

4.6.1 Subject to the relevant conditions being duplicated from the original consent, the proposed development would be acceptable with reference to biodiversity, in accordance with Policy 9.

4.7 Summary

4.7.1 This application involves the implementation of various amendments to an approved development for a five-storey building containing 76 apartments. 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 3.4.

4.7.2 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 highways and access, design, layout and visual amenity, amenity impact, drainage and flood risk, and biodiversity.

4.7.3 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 Growth & Development to approve planning permission, subject to:**

Deed of Variation to the Section 106 Agreement of the 1990 Town and Country Planning Act, dated 28th September 2020, relating to the provision of formal/signed contracts for the lease of a percentage of the apartments as per the submitted details under planning application 10/19/0706, or as otherwise agreed with the Local Planning Authority and details of their full marketing plan, lettings policy, management and maintenance plans to the satisfaction of the Local Planning Authority.

Should the Deed of Variation to the S106 agreement not be completed within 6 months of the date of this resolution, the Strategic Director of Growth & Development will have delegated powers to refuse the application.

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original planning permission 10/19/0706 i.e 28th September 2020.

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 permission the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on the following drawings: Location Plan, ORB-1, ORB-2, ORB-3, ORB-4, ORB-5, ORB-6 and ORB-7.

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

3. Prior to commencement of the development hereby approved, a Construction Method Statement shall be submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of noise, vibration, dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works; and,
- viii. crime prevention and security of the site during the construction phase of the development;

REASON: In order to avoid the possibility of the public highway being affected by the deposit of mud/or loose materials which could create a potential hazard to road users, in order to protect the amenity of the occupiers of the adjacent properties, in order to protect the visual amenities of the locality; and in the interests of crime prevention, in accordance with Policies 8, 10 and 11 of the Blackburn with Darwen Borough Local Plan Part 2.

4. Prior to the commencement of development hereby approved a scheme for the construction of the site access and off-site works of highway improvements shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the development.

REASON: To provide for the safety and convenience of users of the highway, for the free flow of traffic, and to safeguard the amenity of neighbouring

premises in accordance with Policies 10 and 11 of the Blackburn with Darwen Borough Local Plan Part 2.

5. Prior to the commencement of development a scheme of intrusive site investigations, designed by a competent person and adequate to properly assess the ground conditions on the site and establish the risks posed to future development by past coal mining activity shall be carried out and the submission of a report of findings arising from the intrusive site investigations and any remedial works and/or mitigation measures considered necessary; shall be submitted and approved in writing by the Local Planning Authority in conjunction with the Coal Authority. The remedial works and/ or mitigation measures approved shall be implemented in full.

REASON: In the interests of safeguarding public health and to accord with Policy 8 of the Blackburn with Darwen Local Plan Part 2 and the National Planning Practice Guidance.

6. Notwithstanding the submitted or approved plans no development shall commence until full details (including a timetable for implementation) of all site access, emergency access and the off-site works of highway improvement have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority. The development shall thereafter accord with approved details.

REASON: In the interests of highway and pedestrian safety, in order to ensure that the final details of the highway scheme/works are acceptable before work commences on site and to accommodate sufficient parking provision for the development, and to accord with Policy 10 of the Blackburn with Darwen Local Plan Part 2.

7. Prior to the commencement of development hereby approved, the developer shall submit a pre-development road/surface survey for Oakenhurst Road and within 1 month of the completion of the construction works a post road/surface survey shall be carried out and submitted to the LPA. Any deterioration of the highway road/surface caused by the development (based upon the pre-development survey findings) shall be repaired at the cost of the developer no later than 3 months from the submission of post survey.

REASON: To ensure that the safe, efficient and convenient movement of all highway users is not compromised in accordance with Policy 10 of the Blackburn with Darwen Local Plan Part 2 and the National Planning Policy Framework.

8. Prior to commencement of the development hereby approved, a scheme detailing the closure of the existing secondary access shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the existing access/accesses being physically and permanently closed; and the existing verge and/or footway and kerbing of the former crossing being reinstated. The development shall be implemented in accordance with the approved details within 2 months of the formation of the new access.

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

9. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:
 - i. separate systems for the disposal of foul and surface water;
 - ii. details of the rate of surface water discharge from the site to any soakaway, watercourse or surface water sewer for the 1 in 1 year and 1 in 100 year rainfall events (including a climate change allowance of 40%), which shall not exceed the pre-development rate;
 - iii. details of any necessary flow attenuation measures, including the use of SUDS where appropriate;
 - iv. evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
 - v. details of flood exceedance routes (both on and off site);
 - vi. details of how surface water will be managed and pollution prevented during the construction phase; and,
 - vii. a timetable for implementation, including details of any phased delivery; The duly approved scheme shall be implemented before above groundworks are commenced, or within any other timescale first agreed in writing with the Local Planning Authority.

REASON: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2 (2015), and the National Planning Policy Framework.

10. Prior to the commencement of development hereby approved, the developer must submit to the Local Planning Authority for written approval:
 - i. Two copies of 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. Two copies of the 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 in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Local Plan Part 2.

11. The construction of the development hereby permitted shall not take place outside 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. Unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the health of residents in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2 and the National Planning Policy Framework.

12. No above-ground works shall take place unless and until a scheme for biodiversity mitigation and enhancement measures has been submitted to and approved in writing by the Local Planning Authority. The design features and equipment that comprise the scheme shall be fully implemented in accordance with the approved plans and particulars prior to any of the apartments being occupied, or alternatively in accordance with a phasing scheme which has been agreed in writing by the Local Planning Authority, and shall thereafter be retained in place at all times unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure that the development provides compensatory measures and enhancement measures relating to biodiversity, in accordance with the requirements of Policy 9 of the Blackburn with Darwen Local Plan Part 2 and the National Planning Policy Framework.

13. No above-ground works shall commence until details of how the scheme aims to meet the requirements of Lancashire Police in relation to crime prevention and community safety have been submitted to and approved in writing by the Local Planning Authority. Such details shall include details of specific measures and security rated products are to be incorporated within the development e.g. access control, CCTV, fencing, gates, lighting, apartment entrance door sets, dwelling door sets, windows, landscaping, emergency door sets and any other proposed crime prevention measures, and their location within the development and shall be duly implemented in the development.

REASON: In order to reduce the risk of crime and improve community safety, in accordance with Policy 8 of the Blackburn with Darwen Local Plan Part 2 and the National Planning Policy Framework.

14. No above-ground works shall begin until a scheme for protecting the surrounding residential premises from noise, vibration and dust from the site during these works has been submitted to and approved in writing by the Local Planning Authority. All measures which form part of the approved scheme shall be adhered to throughout the period of construction.

REASON: To safeguard the amenity of neighbouring properties by reducing the noise/vibration levels emitted from the site, in accordance with Policy 8 of the

Blackburn with Darwen Local Plan Part 2 and the National Planning Policy Framework.

15. No above-ground works shall commence until a scheme for the noise insulation and ventilation of the residential accommodation hereby approved has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first occupation of the development and shall thereafter be retained.

REASON: To minimise the disturbance by noise to future residential occupiers of the apartments hereby permitted, in accordance with the requirements of Policy 8 of the Blackburn with Darwen Local Plan Part 2 and the National Planning Policy Framework.

16. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

REASON: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Policy 11 of the Blackburn with Darwen Local Plan Part 2, the National Planning Policy Framework and National Design Guide.

17. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, within 1 months of the above-ground first taking place details of the siting, height, design, materials and finish of all boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details before the building hereby approved is first occupied, and shall be retained as such thereafter.

REASON: In the interests of site security and to ensure a satisfactory relationship with the character of surrounding buildings and the street scene in accordance with the requirements of Policies 8 and 11 of the Blackburn with Darwen Local Plan Part 2.

18. Notwithstanding the submitted plans, prior to any above-ground works a scheme for the hard and soft landscaping of the site, including boundary treatment, shall be submitted to and approved in writing by the local planning authority. The scheme shall incorporate elements to mitigate for the loss of trees and bird nesting habitat and shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and specifications of all fencing.

The approved soft landscaping scheme shall be implemented in the first planting season following occupation or use of the development unless otherwise agreed by the Local Planning Authority, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

The hard landscaping and boundary treatment shall be implemented in accordance with the approved details prior to the first occupation of the development and retained thereafter at all times.

REASON: In the interests of visual amenity and habitats and species in accordance with Policies 9 and 11 of the Blackburn with Darwen Local Plan Part 2 and the National Planning Policy Framework.

19. Prior to the occupation 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 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 9 of the adopted Blackburn with Darwen Borough Local Plan Part 2.

20. The 56 car parking spaces indicated on Drawing No. ORB-6 shall be marked out in accordance with the details shown on the approved plan and made available for use before any of the apartments hereby approved are first occupied, and shall be retained as such thereafter.

REASON: In order to ensure adequate provision for vehicle parking off the highway in the interests of road safety and the amenity of future occupiers in accordance with the requirements of Policy 10 of the Blackburn with Darwen Local Plan Part 2 and the National Planning Policy Framework.

21. Air quality mitigation measures shall be implemented prior to the occupation of any of the apartments hereby approved. These measures shall include the provision of an electric vehicle charging point per 7 apartments and gas fired domestic heating boilers shall not emit more than 40mgNO_x/kWh.

REASON: To protect the health of residents and in the interest of sustainable development in accordance with Policies 8 and 33 of the Blackburn with Darwen Local Plan Part 2 and the National Planning Policy Framework.

Darwen Borough Local Plan Part 2 and the National Planning Policy Framework.

22. Within 3 months of 75% occupancy of the development hereby approved, a full Travel Plan (FTP) shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall provide details of the objectives, targets and measures to promote and facilitate public transport use, walking, and cycling to reduce the need to travel and to reduce single occupancy car use. It shall provide details of its management, monitoring and review mechanisms, travel plan coordination and the provision of travel information and marketing. An annual monitoring report which assesses the effectiveness of the measures introduced by the FTP shall be submitted to and approved in writing by the Local Planning Authority for the first five years following the implementation of the FTP. The initiatives contained within the approved travel plan shall be implemented thereafter together with any additional measures that, after review, are found to be necessary to deliver the travel plan objectives.

REASON: To promote alternatives means of transport, in accordance with Policy 10 of the Blackburn with Darwen Local Plan Part 2.

23. 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.

24. Plant and equipment associated with the development shall be so designed and installed so that the following noise limits at surrounding receptors are not exceeded:

- St Barnabas and St Pauls Primary School - LAeq7:00-23:00 36 dB(A) Daytime and LAeq,23:00-7:00 33dB(A) Night Time; and,

- Residential properties along Oakenhurst Road - LAeq7:00-23:00 35 dB(A) Daytime and LAeq,23:00-7:00 33dB(A) Night Time.

REASON: To ensure that noise from plant and equipment installed at the development does not impact surrounding receptors by being 10 dB(A) below the measured background level, in the interests of the amenity of nearby residents in accordance with Policy 8 of the Blackburn with Darwen Local Plan Part 2 and the National Planning Policy Framework.

6.0 PLANNING HISTORY

- 6.1 10/19/0706 – Demolition of Former Health Centre and construction of 5 storey Apartment Block consisting of 76 no, 1 and 2 bedroom apartments with associated car parking – Approved, with conditions – September 2020.

6.2 10/18/0681 – Demolition of former health centre – Prior approval is given – November 2018.

7.0 CONSULTATIONS

7.1 BwD Highways – the detailed highways assessment was undertaken with application 10/19/0607. As the proposed changes do not affect the number of apartments or the approved proposed site layout, there are no further comments to add.

7.2 BwD Cleansing – I note 2 bin stores holding 18 bins. Can we request more details on the sizes of these bins please? The development will need 3 types of bins at least: rubbish and 2 types of recycling bins (paper/card and glass/cans/plastic). Plus storage for bulky rubbish. They will need at least 11 x 1100 litre bulk shared rubbish bins and 22 recycling of the same size recycling bins (11 of each type). We also need to ensure dropped kerbs and easy access for emptying/collection.

7.3 Coal Authority – We raised no objection to the Local Planning Authority granting planning permission for planning application ref: 10/19/0706 and we are pleased to note that a planning condition to secure the undertaking of intrusive ground investigations works, prior to commencement of development was imposed (Condition 5).

7.4 I can confirm that as there are no recorded coal mining features within the application site that would affect the layout of this proposal, we have no specific comments to make on this variation of condition 2 application. However, as no intrusive site investigation would appear to have yet been undertaken, we would request that the existing Condition 5 be re-imposed on any new planning permission granted.

7.5 Summary of Public Responses

No public responses received.

8.0 CONTACT OFFICER: Christian Barton – Planning Officer

9.0 DATE PREPARED: 1st September 2022