

Proposed development: Full Planning Application for: Change of use from a dwellinghouse (Use Class C3) to a residential institution (Use Class C2) to house up to four families - parent(s) and one child - for 12 weeks durations, to allow 'Residential Parenting Assessments'

**Site address:
5 Moorcroft
Lower Darwen
BB3 0RY**

Applicant: Gryffin House Limited

Ward: Blackburn South & Lower Darwen

**Councillor John Slater
Councillor Jacqueline Slater
Councillor Denise Gee**



1.0 SUMMARY OF RECOMMENDATION

1.1 REFUSE – For reasons set out at paragraph 4.1.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 This full planning application for a change of use is reported to the Committee due to the applicant being a relative of a Council employee within the Growth & Development Department, and following receipt of a significant number of public objections. This is in accordance with the Council's adopted Scheme of Delegation.
- 2.2 The recommendation follows a detailed assessment of the proposal, in consultation with relevant Council consultees, local residents and Ward Members. The proposal is found to fail the requirements of the adopted Development Plan and National Planning Policy Framework (The Framework).
- 2.3 Members of the Committee will be aware that planning permission was previously granted at the meeting in January 2022 (ref. 10/21/1200), for the "demolition of a rear conservatory, erection of rear double and single storey extensions, and a front porch." The submission was a Householder Application type and the extensions approved were explicitly for a typical domestic use, falling within Use Class C3. The applicants confirmed at that time the extensions were for their own family use of the dwelling. Had the application at that time included the change of use currently proposed, it would not have been supported, for the reasons set out in this recommendation.
- 2.4 That work to the extensions has begun is recognised. This is confirmed by Building Control with the Building Regulations application being approved on the 11th May 2022, and the first foundation excavation being dug and inspected on the 21st June 2022. Members are advised that commencement of these works is lawful and that the subject application is limited to assessment of the merits of the proposed change of use.

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1 The application site (the site) relates to a detached dwelling house and associated curtilage (Use Class C3), located within the urban boundary of Darwen, to the north west of Moorcroft. Moorcroft is a cul-de-sac that sits within a wider housing development. The property is flanked by dwellings to the sides and rear.
- 3.1.2 The area is local to the motorway network and is within reasonable reach of public transport hubs (rail and bus) in Darwen Town Centre.

3.1.3 The site is identified by the red edge location plan below and Google imagery.



Supporting Statement, Gryffin House, 27th Oct 2022.



Google Imagery, August 2022



Google Street view image of application site – August 2022.

3.2 Proposed Development

3.2.1 Full planning permission is sought for a change of use from a dwellinghouse (Use Class C3) to a “residential institution (Use Class C2) to house up to 4 families - parent(s) and one child - for 12 weeks durations”, to allow 'Residential Parenting Assessments'.

3.2.2 It is submitted that: The proposal involves robust, fair and evidence based assessment of parenting skills and capabilities for up to four families at any one time, 24 hours a day, for an approximate 12 week duration. Families will be placed on a statutory referral basis. Family is generally defined in this context as one mother and a new born child other than in exceptional circumstances when there may be a requirement for two parents and one child. When operating at full capacity, the property would home 8 people (4 adults and 4 children), though exceptionally those numbers could increase to 10 (6 adults and 4 children).

3.2.3 The property would be Ofsted regulated.

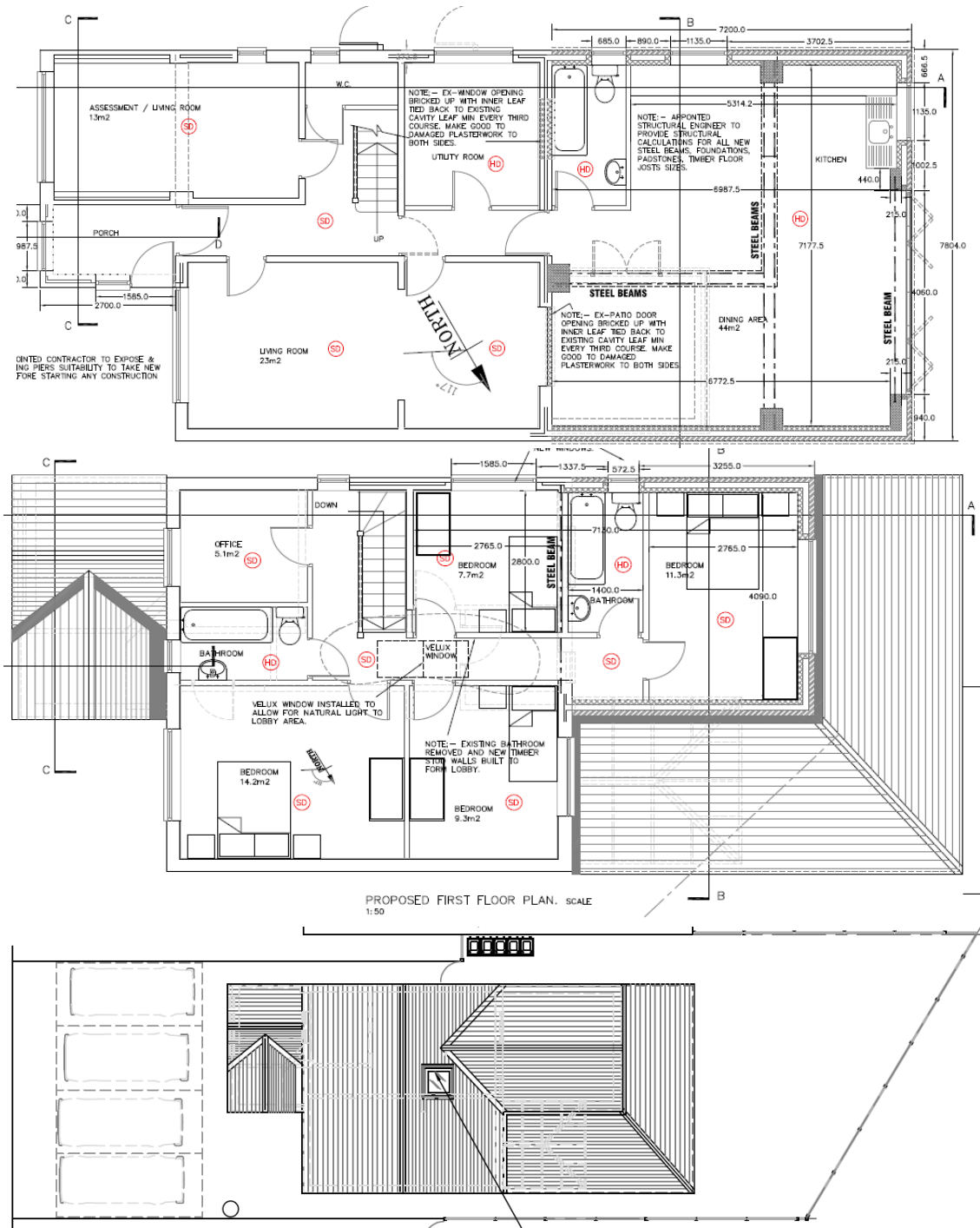
3.2.4 Referrals would be via Local Authorities and / or Family Court directions, arising from concerns raised about a child’s welfare or a parent’s capacity to provide safe and appropriate care. A safe and nurturing environment would be offered to ensure a fair assessment and the experience of the family would be one of transparent working, respectful practice and collaboration. Assessment would involve:

- The parent’s ability to meet both the physical and emotional needs of their child;
- The likely ability of the parent’s to protect their child from harm;
- The parent’s capacity for durable and sustained change; and

- The long term prognosis for change.

3.2.5 Only parent(s) who would have a reasonable likelihood of achieving a positive outcome would be accepted, following a thorough referral process and liaison with the placing Local Authorities.

3.2.6 Full details of the application are set out in the application form, drawings and supporting statement. Proposed floor and car parking plans are extracted below.



Extracts from drawings submitted by Younus Khan.

3.3 **Development Plan**

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

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

3.3.3 Core Strategy (2011):

- CS1 – A Targeted Growth Strategy
- CS11 – Facilities and Services

3.3.4 Local Plan Part 2 (2015) (LPP2)

- Policy 1 – The Urban Boundary
- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 10 – Accessibility and Transport
- Policy 11 – Design
- Policy 47 – The Effect of Development on Public Services

3.4 **Other Material Planning Considerations**

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

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

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

- Section 2: Achieving Sustainable Development
- Section 8: Promoting healthy and safe communities

3.4.2 National Planning Policy Guidance (NPPG).

3.5 **Assessment**

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

- Principle of the development;
- Effect on Public Services;
- Amenity impact;
- Accessibility and Transport; and

- Design.

3.5.2 Members are advised that the application has attracted a significant amount of public objection, which can be summarised as:

- Transport impacts – ie. congestion, parking, compromised access for emergency vehicles etc;
- noise nuisance;
- anti-social behaviour;
- change in character & appearance arising from a commercial use / unsuitable use for residential area; and
- insufficient outdoor amenity space to support the use.

3.5.3 All public comments are reproduced at section 9.0 of this report.

3.5.4 All *material* matters are addressed in the following assessment.

3.5.5 Principle

The site is unallocated and lies within the defined Urban Boundary, which is the preferred location for new development, in accordance with Core Strategy Policy CS1, and Local Plan Part 2 Policy 1. In basic land use terms, therefore, the proposal is acceptable in principle.

3.5.6 Policy CS11 (Core Strategy, 2011) supports the expansion and enhancement of the range and quality of public services in ‘accessible locations’ as well as the creation of ‘community hubs’ to provide a co-located range of facilities and services in one place. A public service can typically be regarded as a resource offered by either the private or public sector to support members of a community. Public services and facilities are explicitly supported by the policy in the following locations:

- I. The town centres of Blackburn and Darwen;
- II. Neighbourhood shopping centres;
- III. Existing key public buildings / facilities; and
- IV. Other accessible locations.

3.5.7 Community hubs are supported, in principle, around existing town or neighbourhood centres or, in other cases, around major land users such as education or leisure facilities. As a proposal within an area defined by family housing, it fails the policy specific locational requirement for public service / facility provision.

3.5.8 Notwithstanding the location of Darwen Town Centre, which is a circa 5 - 10 minute journey by car from the site, the immediate locale is not supported by a bus route and cannot, therefore, be considered to be in an accessible and / or sustainable location, in the context of the proposed use.

3.5.9 Accordingly, it is considered that the principle of the development cannot be supported, due to conflict with Policy CS11 and The Frameworks presumption in favour of sustainable development.

3.5.10 Effect on Public Services

Policy 47 of LPP2 seeks to ensure that development meets the needs of the local populous in the first instance. Importantly there is concern for development which ostensibly provides accommodation or services used by vulnerable people, but which is provided in an ad-hoc way with little or no reference to wider strategies for commissioning support services. This can result in users going on to require a wide range of other support services provided by the public sector and placing greater pressure on such services. In this context, development will be granted planning permission provided that infrastructure, facilities and services exist, or can be provided via the development, which will allow the development to proceed without an unacceptable adverse impact on existing provision. The policy is set out in full, thus:

1. Development will be granted planning permission provided that infrastructure, facilities and services exist, or can be provided via the development, which will allow the development to proceed without an unacceptable adverse impact on existing provision.

2. Development likely to cater or provide accommodation for users of publicly-provided support services, including but not limited to mental health services, substance misuse treatment and adult social care, will only be permitted where it is clearly demonstrated that:

i) a need for the development exists arising from the requirements of people already ordinarily resident in Blackburn with Darwen or of Blackburn with Darwen service users currently receiving service outside the authority area;

ii) where the development consists of a facility directly providing a support service, the nature and scale of the facility is in line with the Council's commissioning strategies, such that resources are likely to be available to refer individuals to the facility and it can be reasonably expected that people already ordinarily resident in Blackburn with Darwen, or Blackburn with Darwen service users currently receiving service outside the authority area will be the principal users of the facility; and

iii) the development will not lead to an increase in the level of demand for any publicly-provided support service, to an extent that is likely to result in a deterioration of the level of service available to existing users.

3.5.11 The Council's Children's Service's Strategic Commissioning consultee has offered an objection to the proposal, on the premise that the Local Authority area cannot support the likely impacts arising on public service provision. Their objection addresses specific issues / impacts and is in response to the applicant's supporting statement and additional representations. In the interests of a balanced and transparent debate, Children's Services response and the applicant's (final) rebuttal are reproduced, as follows:

Impact on Blackburn with Darwen Children's Social Care as they have a duty to investigate section 47 enquiries.

Gryffin House Limited response is not accurate as where a safeguarding issue arises it is the Local Authority in which the child is in at the time that initially deals with the strategy discussion and initiating the section 47. This will be a multi-agency meeting involving resources from the LA, Police and Health as a minimum. This will include day time and out of hours services. Thereafter the referring Local Authority will pick up the section 47. It is likely that a section 47 will already have been carried out prior to referral to Gryffin House Limited, this does not mean there will not be the need for further section 47 enquiries. This is an avoidable increase in the demands on resources across the agencies involved a strategy discussion and s47 enquiry.

Applicant's response: Had CS afforded GHL an opportunity to discuss our service in advance of our planning submission, they would have established that GHL fully understands its safeguarding responsibilities and processes for S47 enquiries. CS have taken its previous comments out of context and not holistically.

CS comment briefly outlines a process, which GHL is in agreement with. However, operational procedures are not material considerations and should not be taken into account whilst determining our application. Separate legislation and regulatory frameworks such as; Childrens act 1989 & 2004, National Minimum Standards (NMS), OFSTED Residential Family Centres Regulations 2002 and Care Standards Act 2000 will ensure operational compliance by GHL in order to protect and safeguard the welfare of those children that access GHL's service provision.

Whilst there may be further S47 enquiries, equally CS cannot predict that any new ones will be triggered. The likelihood of a new S47 enquiry being triggered during an assessment at GHL is a very low risk. This risk will be mitigated through staff presence, as well as families being monitored 24 hours daily during their assessment period.

Additionally, CS fails to quantify the time spent by BWDBC, on any potentially new initial strategy discussions, which realistically could be as short as 15 mins to inform the referring Authority. CS rightfully confirmed that post the initial strategy discussion, BWDBC will always refer responsibility back to the referring Authority, who will then continue to take the lead, through an agreed statutory care plan. This reinforces the reality that CS involvement will be minimal and will not be for a prolonged period of time. Their assertion of increased pressure resulting from a new S47 enquiry is not credible.

Services including the Police and Engage for young people who go missing.

It is possible that the parents will be young people. Gryffin House has not yet clarified whether their proposed Ofsted registration would cover

parents under the age of 18 and/or parents who are looked after children themselves. If proposed registration is to include those who are under 18, it is possible that the parents admitted to the Unit will be young people themselves.

Applicants response: CS comment in relation to young people who go missing is a generic statement and not relevant to GHL's service offer. This comment should not be taken into account whilst determining our application.

GHL's service offer is only available to Adult parents, as defined by England law ie people aged 18 years of age and above.

Implications for the Local Authority Designated Officer (LADO).

Gryffin House Limited response is not accurate as the LADO does not take responsibility for the family, this is not the LADO's role. It is concerning that Gryffin House do not appear to fully understand the LADO role particularly given their role in safeguarding. There would be an impact on the Local Authority LADO as it would fall within the remit of our LADO to become involved when any allegations of a safeguarding nature made against a member of staff within our LA area. This remit is not passed back to the responsible LA area for the child.

GHL is in agreement with CS outline of the LADO role. However, operational procedures are not material considerations and should not be taken into account whilst determining our application. Separate legislation and regulatory frameworks such as; Childrens act 1989 & 2004 and OFSTED Residential Family Centres Regulations, will ensure that operational compliance is met by GHL in order to protect and safeguard the welfare of those children that form part of Residential Parenting Assessments.

Applicants response: Had CS afforded GHL an opportunity to discuss its service in advance of our planning submission, they would have established GHL's correct understanding of the LADO role, is in accordance with statute. Given that CS previous comments for point 3 were vague and without any context, it is insulting to claim that we do not have a full understanding of the LADO role. GHL's comments have been taken out of context and were provided on the assumption of the staff member being investigated, having a family and their involvement.

There is an inference by CS that all/some staff at GHL will have safeguarding allegations made against them. Whilst this is unlikely, the risk of allegations being made against a staff member will be mitigated as GHL will only appoint staff after a rigorous recruitment exercise; ensuring that staff have recognised professional qualifications, appropriate experience and good references. All checks associated to the Enhanced Disclosure and Barring Services and Barred list will be made prior to any staff appointments. GHL will have a personal development and training strategy in place, which will also include

different levels of training on areas such as de-escalation, motivational interviewing and person centre practice.

Increase pressures on Health Visitor services in relation to the universal offer.

Gryffin House Limited response is not accurate as the Health Visiting service transfers responsibility to the local team. The Health Visiting services from the referring area do not maintain full responsibility, the case is transferred to the Health Visiting team responsible for the area in which the child is placed and for the duration of the placement. This is an avoidable increase in the demands on Health resources.

Applicants response: Again GHL's comments have been taken out of context. Had CS afforded GHL an opportunity to discuss our service in advance of our planning submission, they would have established how the Health Visitor Services would have been agreed and co-ordinated prior to GHL accepting the referral. If the family is not accepted by GHL, then no increased pressure will be placed on the Health Visitor Services. Also, if the referral is accepted by GHL, then no additional pressures will be placed onto Health Visitor Services because the local service has the capacity to provide the service to the family. For families that already live in the Borough of BwD, they will only be accessing the Health Visitor Services universal offer, which they would already be entitled to access and receive support from, therefore no increased pressure will be applied to the service resulting from GHL's service offer.

Increase pressure on Midwifery Services including the delivery of postnatal services.

Gryffin House Limited response is not accurate as the same in number 4 above applies – responsibilities transfer to the local team where the child is placed and subsequently to the Health Visiting team after birth for the duration of the placement. This is an avoidable increase in the demands on Health resources.

Applicants response: Again GHL's comments have been taken out of context. Had CS afforded GHL an opportunity to discuss our service in advance of our planning submission, they would have established how the Midwifery Services input would have been co-ordinated prior to GHL involvement.

If the family is not accepted by GHL, then no increased pressure will be placed on the Midwifery Services. Also, if the referral is accepted by GHL, then no additional pressures will be placed onto Midwifery Services because the local service has the capacity to provide the service to the family.

For families outside of Borough, it is likely that the child remains in hospital whilst the Interim Care Order is being sought and visits will be conducted thereafter by Blackburn, which will be for a reduced period

of time. For families that already live in the Borough of BwD, they will only be accessing the Midwifery Services universal offer, which they would already be entitled to access and receive support from, therefore no increased pressure will be applied to the service resulting from GHL's service offer.

Potential pressures on East Lancashire NHS Hospital Trust neonatal services.

Gryffin House Limited response is not accurate as it is possible that a very young baby could require neo-natal care after discharge. Any health need and response in terms of treatment requirements for a child is determined by Health professionals, this could include the need for neo-natal care.

Applicants response: CS cannot claim our response was inaccurate as they had not made any reference to neo-natal care after discharge.

Responding within the context of neo-natal care after discharge. referrals will only be accepted by GHL following a thorough, referral assessment and liaison with the placing Local Authorities. If the baby is unwell and likely to receive long term neo-natal services, which will cover most of the assessment period, then the referral will not be accepted by GHL.

If the baby is returned to the placing Local Authority, the adult could choose to remain in Blackburn with Darwen resulting in an increase pressure for Housing Needs (Section 20).

There remains a potential for and increase pressure for Housing Needs.

Applicants response: Equally, CS cannot confidently claim that an Adult will remain in the Borough whilst their child is returned to the referring Authority. CS have made an unsubstantiated assumption and not provided any evidence to support their assumption that an Adult will remain and also have not quantified the amount of increased pressure for Housing Needs (Section 20).

Importantly, Section 20 of the Children Act 1989 does not place an obligation on the Local Authority to meet the housing needs of adults. For those families that opt to remain in BwD and the baby is returned to the placing Local Authority, the adult will not be given priority housing over people on any potential Housing Needs waiting lists. Therefore, CS comment is disputed.

It is more likely than not, that families will return to the placing Authority as they will have evidenced a want to address any concerns and have shown a willingness to remain with their child, hence the court directive to assess their parenting capacity. Only parents who have a reasonable likelihood of achieving a positive parenting assessment will be accepted by GHL. Therefore the risk of placement breakdown remains low and is highly unlikely to increase pressures on Housing Needs (Section 20).

GHL will only support a maximum of 4 families at any one time, with the annual maximum number of 16 families. Overall, factors such as; void periods, families willingness to change and work toward achieving successful outcomes, BwD families being placed at GHL and that family placements will be positive and unlikely to breakdown, collectively minimise the perceived risk of any increased pressure for Housing Needs (Section 20) resulting from GHL's service offer.

Transport costs for the families could fall within the host Local Authority remit.

Acknowledged that the referring Local Authority will be responsible for all transport costs of the family whilst being assessed at GHL.

Applicants response: *For the avoidance of doubt, BWDBC will not incur any transport costs for families referred into the Borough of BwD by a different Local Authority. The referring Local Authority will be responsible for all transport costs of the family whilst being assessed at GHL.*

If GHL provision is made available, then BWDBC will save on their own transport costs for families that require a parenting assessment because they would no longer need to outsource outside of the Borough and pay for the associated transport costs, as the service would be provided locally.

Services responsibility for safeguarding, mental health and substance misuse issues.

It is likely that service will transfer to the local offer for mental health services. This is an avoidable increase in the demands on this resource.

Applicants response: *CS comments are disputed as responsibilities will remain with the referring Authority and services co-ordinated. Services will not be transferred in order to ensure consistency and routine for families as the assessment is only for a temporary period and in accordance with an Interim Care Order.*

During the COVID pandemic, the use of Family Residential Units increased, but post pandemic the preferred model is for assessment and support to be offered in the family home.

BwD preferred model is for assessment and support to be offered in the family home remains the BwD approach.

Applicants response: *BWDBC's FOI reference number 08761 confirms that there is also a preference for Residential Parenting Assessments because year on year the Council has commissioned them for families that live within the Borough, and are likely to do so in the future.*

CS response is not within the context of GHL's service provision and is generic. CS also require a vast range of other services to achieve their service outcomes identified within their business plan.

Prioritisation of BwD preferred model over another service, ie GHL's service offer which is vastly different, should not be taken into account whilst determining our application, especially when there does not appear to be an existing operational model of residential parenting assessments being conducted within the family home. Until that particular service model is available, the Council should access alternative service provision to meet a family's need effectively, which GHL can assist with.

Importantly, assessment and support being offered in the family home and Residential Family Units are two very separate and distinctive service areas, which can co-exist. All available service options must be considered by Social Workers to meet a family's needs and the most appropriate service procured as part of an agreed statutory care plan.

It is important to emphasise that in order to safeguard children effectively and achieve the desired outcomes of statutory care plans, a range of services must also be available and tailored to meet the diverse needs of individual families.

Blackburn with Darwen require parent and child fostering placements.

A specific need for Blackburn with Darwen is parent and child fostering placements.

Applicants response: *CS response is not within the context of GHL's service provision and is too generic. CS also require a vast range of other services to achieve their service outcomes identified within their business plan.*

Prioritisation of a Child Fostering Placements over another service, ie GHL's service offer which is vastly different, should not be taken into account whilst determining our application, especially when child fostering placements are not comparable.

Whilst parent and child fostering placements may be required, the FOI reference number 08761 confirms that there is also a need for Residential Parenting Assessments.

Parent and child fostering placements and Residential Family Units are two very separate and distinctive service areas. As part of statutory interventions, both services can co-exist. All available service options must be considered by Social Workers to meet a family's needs and the most appropriate service procured as part of an agreed statutory care plan.

It is important to emphasise that in order to safeguard children effectively and achieve the desired outcomes of the statutory care plans, a range of services must also be available and tailored to meet the diverse needs of individual families.

For those families accessing GHL and achieving successful parenting assessment outcomes, this could result in cost efficiencies as residential parenting assessments are for a much shorter duration than a parent and child fostering placement.

Detailed information would be required regarding Family Residential Unit proposed provision.

No response offered.

Applicants response: *For the avoidance of doubt, the supporting statement and additional information submitted as part of the formal planning application stage provides detailed information about GHL.*

Plan to tender the 'accommodation based service for vulnerable families' The provision is to accommodate single parent and two parent families with a minimum of 6 units in Blackburn with Darwen.

BwD has recently tendered an 'accommodation based service for vulnerable families' The provision is to accommodate single parent and two parent families with a minimum of 6 units in Blackburn with Darwen. Such accommodation is, however, considered to be very different to the type proposed – ie an Ofsted registered Family Assessment Unit. The two wouldn't be seen as comparable.

We would recommend providers signing up to the CHEST if looking for new opportunities in the local area.

Applicants response: *GHL is pleased that CS accepts that the 'accommodation based service for vulnerable families' is very different to Family Assessment Units and is not comparable. Regardless, CS comment is not relevant to GHL's service offer and is generic.*

CS also require a vast range of other services to achieve their service outcomes identified within their business plan, which GHL can assist with.

Prioritisation of 'accommodation based service for vulnerable families' over another service, ie GHL service offer is not comparable and should not be taken into account whilst determining our application.

The FOI reference number 08761 confirms that there is also a need for Residential Parenting Assessments and additionally both services can co-exist. All available service options must be considered by Social Workers to meet a family's needs and the most appropriate service procured as part of an agreed statutory care plan.

Tender pathways are not material considerations and should not be taken into account to determine our application.

GHL is fully aware of the NW CHEST portal and intends to bid for tender opportunities that are made available through it.

Existing provision.

There is an existing Family Assessment Unit (FAU) within Blackburn with Darwen's boundary to which BwD routinely refer to. If the FAU holds a vacancy that fits with the timescale required, then the social worker would complete the referral form. The Registered Manager will then make a decision as the Unit can manage the risk and meet the needs of the family. If the Registered Manager does not feel that the Unit can meet the needs, then a placement will not be offered. The Local Authority therefore have limited decision making properties over which Unit families are admitted to as there are numerous variables. Therefore, even if permission were to be granted for the proposal, the decision as to whether the Unit takes BwD families is down to the Registered Manager to decide on a case by case basis rather than on any commissioning decision by the LA.

Level of demand / is another facility justified? For FAU's, demand is driven by the Public Law Outline process and the majority of searches undertaken as part of that process do not convert into actual placements.

There is no guarantee that it will be BwD parents and children that would benefit from being offered a placement through the normal referral route.

3.5.12 Whilst Children's Services acknowledge the applicant's rebuttal, they maintain their objection is well-founded and justified.

3.5.13 Taking the above circumstances into account, it is considered that the necessary infrastructure, facilities and services do not currently exist, nor can they be provided via the development. The application fails to demonstrate a need for the development arising from the requirements of people ordinarily residing in the Local Authority (LA) area or LA service users currently receiving care outside of the LA area. Moreover, the development is of a nature and scale that fails to align with the Council's commissioning strategies with resources unlikely to be available to support people ordinarily residing in the LA area, and it would lead to an unwarranted increase in the level of demand for public support services, to the extent that those services would deteriorate for existing users.

3.5.14 Accordingly, the proposal is found to fail the requirements of Policy 47 of the Local Plan Part 2.

3.5.15 Amenity

Policy 8 requires development to make a positive contribution and to ensure a satisfactory level of amenity and safety is secured for surrounding uses and for occupants or users of the development itself; including reference to nuisance and the relationship between buildings.

3.5.16 The site is characterised as a typically quiet residential cul-de-sac, as witnessed by officer site visits. Considered in this context, the proposal would represent an intensification of the use of the property, eroding the prevailing character and giving rise to potential nuisance, due to a significant increase in

comings and goings of a commercial nature, beyond what would reasonably be expected at a family dwelling. Such activity would arise from staff rotas - 10 full-time employees operating a shift pattern (3 shifts in 24 hours) - and visiting professional / support workers, which would be in stark contrast to the existing circumstances.

3.5.17 This conclusion is notwithstanding the applicants assertion that families would only be permitted to have approved visitors at agreed times, that staff would be recruited from the local area, and the provision of 4 in-curtilage parking spaces. It is considered that visitations, particularly in terms of frequency, and recruitment of local staff could not be effectively controlled or mitigated by conditions.

3.5.18 Although objections have been received expressing concern at the prospect of anti-social behaviour arising from the proposal, no substantive evidence is available to support an objection in this regard, notwithstanding the identified change in character.

3.5.19 Accordingly, and on balance, the proposal would fail to make a positive contribution to the area. Instead, a negative outcome would arise, contrary to the requirements of Policy 8 of the Local Plan Part 2 and The Framework.

3.5.20 Accessibility & Transport

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

3.5.21 As noted above, 4 in-curtilage parking spaces would be provided to the front of the property. These are indicated on a submitted site plan as in accordance with the Council's adopted standard for the use proposed, measuring 2.4m x 5.5m. It should be recognised that the spaces / hard surface could be introduced as permitted development, subject to construction in a porous material or, alternatively, provision is made to direct run-off water to a porous area within the curtilage.

3.5.22 The Council's Highways consultee has reviewed the application and offers no objection.

3.5.23 Accordingly, the proposal is found to be in accordance with the requirements of Policy 10 of the Local Plan Part 2 and The Framework.

3.5.24 Design

Although no external alterations are proposed under this application, Policy 11 does require sustainable waste management during the operational life of a development and adequate and secure amenity space to support users of the development.

Although the proposal involves introduction of parking spaces to some of the front garden and the previous grant of planning permission provides for

substantial rear extensions, sufficient areas for waste storage / management and general amenity are maintained for users of the development.

3.5.25 Accordingly, the proposal is found to be in accordance with the requirements of Policy 11 of the Local Plan Part 2 and The Framework.

3.5.26 Overall, on balance, the merits of the public service offer, as identified in the applicant's submission, are not considered to outweigh the identified policy conflict. Nor are any other material considerations evident to outweigh such conflict.

3.5.27 Other Matters

Comments received include assertions that the application property, amongst others on the cul-de-sac, is subject to a covenant prohibiting any business or commercial use. Members are advised that private covenants fall outside of the scope of this assessment, as matters beyond the control of the planning system. Any action in this regard must, therefore, be pursued under civil law.

3.5.28 Summary

This report assesses the full planning application proposing the change of use from a dwelling house (Use Class C3) to a residential institution (Use Class C2) to house up to four families - parent(s) and one child - for 12 weeks durations, to allow 'Residential Parenting Assessments'. In considering the proposal, the relevant range of material considerations have been taken into account. The assessment demonstrates that the planning decision must be made in the context of assessing the merits of the proposal balanced against any potential harm that may arise from its implementation. This report finds that the proposal fails the policy requirements of the Blackburn with Darwen Core Strategy, Local Plan Part 2, and The National Planning Policy Framework.

4.0 RECOMMENDATION

4.1 Refuse:

Delegated authority is given to the Strategic Director of Growth and Development to refuse planning permission for the following reasons:

1. As a public service / facility located within a quiet residential street and not within a Town Centre, District / Shopping Centre, existing key public building, a Community Hub or other accessible location, it fails the locational requirements of the Core Strategy which Policy CS11 of the Core Strategy (2011).
2. The development, by virtue of a significant increase in on-street activity and within the application building, would erode the quiet residential street character and fail to secure an acceptable level of amenity for nearby residents. Accordingly, the development would fail to make a positive contribution to the area, contrary to the requirements of Policy 8 of the

Blackburn with Darwen Borough Local Plan Part 2 (2015) and The National Planning Policy Framework.

3. The development, by virtue of its failure to demonstrate a need arising from the requirements of people with a defined association with Blackburn with Darwen; its nature and scale failing to align with the Council's commissioning strategies; and an unwarranted increase in the level of demand for public support services, to the extent that those services would deteriorate for existing users, is contrary to the requirements of Policy 47 of the Blackburn with Darwen Borough Local Plan Part 2 (2015).

5.0 PLANNING HISTORY

- 5.1 10/21/1200 - the demolition of a rear conservatory and erection of rear double and single storey extensions and a front porch. Approved by Committee January 2022.

6.0 CONSULTATIONS

6.1 Children's Services

Objection.

Blackburn with Darwen Children's Social Care as they have a duty to investigate section 47 enquiries.

Gryffin House Limited response is not accurate as where a safeguarding issue arises it is the Local Authority in which the child is in at the time that initially deals with the strategy discussion and initiating the section 47. This will be a multi-agency meeting involving resources from the LA, Police and Health as a minimum. This will include day time and out of hours services. Thereafter the referring Local Authority will pick up the section 47. It is likely that a section 47 will already have been carried out prior to referral to Gryffin House Limited, this does not mean there will not be the need for further section 47 enquiries. This is an avoidable increase in the demands on resources across the agencies involved a strategy discussion and s47 enquiry.

Services including the Police and Engage for young people who go missing.

It is possible that the parents will be young people Gryffin House has not yet clarified whether their proposed Ofsted registration would cover parents under the age of 18 and/or parents who are looked after children themselves. If proposed registration is to include those who are under 18, it is possible that the parents admitted to the Unit will be young people themselves. In relation to Nick's further points

- what pre-existing facilities are available in the LA area; There is an existing Family Assessment Unit within Blackburn with Darwen's boundary to which BwD routinely refer to. If the FAU holds a vacancy that fits with the timescale required, then the social worker would complete the Unit's referral form. The Registered Manager will then make a decision as the Unit can manage the risk and meet the needs of the family. If the Registered Manager does not feel that the Unit can meet

the needs, then a placement will not be offered. The Local Authority therefore have limited decision making properties over which Unit families are admitted to as there are numerous variables. What I'm trying to say in relation to this point is that even if PP were granted for the proposed Unit the decision as to whether the Unit takes BwD families is down to the Registered Manager to decide on a case by case basis rather than on any commissioning decision by the LA.

- level of demand / is another facility justified. For Family Assessment Units, demand is driven by the Public Law Outline process and the majority of searches undertaken as part of that process do not convert into actual placements.

Implications for the Local Authority Designated Officer (LADO).

Gryffin House Limited response is not accurate as the LADO does not take responsibility for the family, this is not the LADO's role. It is concerning that Gryffin House do not appear to fully understand the LADO role particularly given their role in safeguarding. There would be an impact on the Local Authority LADO as it would fall within the remit of our LADO to become involved when any allegations of a safeguarding nature made against a member of staff within our LA area. This remit is not passed back to the responsible LA area for the child.

Increase pressures on Health Visitor services in relation to the universal offer.

Gryffin House Limited response is not accurate as the Health Visiting service transfers responsibility to the local team. The Health Visiting services from the referring area do not maintain full responsibility, the case is transferred to the Health Visiting team responsible for the area in which the child is placed and for the duration of the placement. This is an avoidable increase in the demands on Health resources.

Increase pressure on Midwifery Services including the delivery of postnatal services.

Gryffin House Limited response is not accurate as the same in number 4 applies – responsibilities transfer to the local team where the child is placed and subsequently to the Health Visiting team after birth for the duration of the placement. This is an avoidable increase in the demands on Health resources.

Potential pressures on East Lancashire NHS Hospital Trust neonatal services.

Gryffin House Limited response is not accurate as it is possible that a very young baby could require neo-natal care after discharge. Any health need and response in terms of treatment requirements for a child is determined by Health professionals, this could include the need for neo-natal care.

If the baby is returned to the placing Local Authority, the adult could choose to remain in Blackburn with Darwen resulting in an increase pressure for Housing Needs (Section 20).

Remains a potential for and increase pressure for Housing Needs.

Transport costs for the families could fall within the host Local Authority remit.

Thank you for clarifying the arrangements for the transport costs

Services responsibility for safeguarding, mental health and substance misuse issues.

It is likely that service will transfer to the local offer for mental health services. This is an avoidable increase in the demands on this resource.

During the COVID pandemic, the use of Family Residential Units increased, but post pandemic the preferred model is for assessment and support to be offered in the family home.

BwD preferred model is for assessment and support to be offered in the family home remains the BwD approach.

Blackburn with Darwen require parent and child fostering placements.

Blackburn with Darwen require parent and child fostering placements.

Detailed information would be required regarding Family Residential Unit proposed provision.

No response

Plan to tender the 'accommodation based service for vulnerable families' The provision is to accommodate single parent and two parent families with a minimum of 6 units in Blackburn with Darwen.

Have recently tendered an 'accommodation based service for vulnerable families' The provision is to accommodate single parent and two parent families with a minimum of 6 units in Blackburn with Darwen.

For information the Council use the following procurement pathways for care contracts:

- Children's care providers are all registered through the Placement North West framework
- Children and Adults care providers are sourced through individual contracts/frameworks and experience providers are welcomed to apply when opportunities arise. Any new specialist work would be put through the CHEST: <https://www.the-chest.org.uk>

We would recommend providers signing up to the CHEST if looking for new opportunities in the local area.

There is an existing Family Assessment Unit (FAU) within Blackburn with Darwen's boundary to which BwD routinely refer to. If the FAU holds a vacancy that fits with the timescale required, then the social worker would complete the referral form. The Registered Manager will then make a decision as the Unit can manage the risk and meet the needs of the family. If the Registered Manager does not feel that the Unit can meet the needs, then a placement will not be offered. The Local Authority therefore have limited decision making properties over which Unit families are admitted to as there are numerous variables. Therefore, even if permission were to be granted for the proposal, the decision as to whether the Unit takes BwD families is

down to the Registered Manager to decide on a case by case basis rather than on any commissioning decision by the LA.

Level of demand / is another facility justified? For FAU's, demand is driven by the Public Law Outline process and the majority of searches undertaken as part of that process do not convert into actual placements.

There is no guarantee that it will be BwD parents and children that would benefit from being offered a placement through the normal referral route.

6.2 Public Protection

No objection.

6.3 BwD Highways

Having looked through the supporting statement and the additional information addendum I would comment as follows:

- provision of 4 parking spaces within curtilage is in line with BwD Parking Standards for C2 of 1 per 2 beds (longer courses – over 1 month duration) and would also be in line with C4: Houses in Multiple Occupation of 1 car space per 2 bedrooms.
- The additional information provided indicates low levels of on-street parking on Moorcroft between 9am and 5pm when activity associated with the proposed development is likely to be at its highest.
- There is also ample opportunity to park on-street along Milking Lane a short walk from the proposed development.

Subject to a suitable plan demonstrating that 4 parking spaces can be accommodated within curtilage I would not object to this application.

6.4 Public Consultation

21 letters were posted to the local community on 28th July 2022 and 28th October 2022 (re-consultation). Site notices were also displayed. In response, 49 objections were received - see Summary of Representations.

7.0 CONTACT OFFICER: Nick Blackledge – [Principal Planner]

8.0 DATE PREPARED: 1st December 2022

9.0 SUMMARY OF REPRESENTATIONS

Objection – Cllr John Slater & other Ward Members. Received: 29/07/2022.

Thanks for this update I and my fellow councillors object to this application most strongly and so do all our residents who live there.

Objection – Mrs Alison Lovett, 1 Moorcroft, Lower Darwen. Received: 01/08/2022

Mr Blackledge. I am sending this email to you re the above application to change No 5 Moorcroft , Lower Darwen from a dwelling house Class 3 into an institution Class 2. As a resident of Moorcroft for 33 years i can't see why this is appropriate, We have little or no parking available for the residents as it is and I can't see how 12 adults with children and staff, enough to oversee the residents will be able to park cars without obstruction. Also I believe that planning permission was granted for a family dwelling not for business purposes.All the residents of Moorcroft are in agreement and are opposed to the application. Thank you for your time. I look forward to hearing from you.

2nd Objection – Alison Lovett, 1 Moorcroft, Lower Darwen. Received: 08/11/2022.

This is a letter of objection to the Planning application for 5 Moorcroft. I understand the application has changed to Class 2 for 4 families and 1 child, for 12weeks. As you are aware this is causing great anxiety to all the residents because the street is too small for all the traffic that will be associated with this business Parking will be a nightmare. Also there are no facilities ie public transport, libraries, shops, Alongside the lack of facilities there are no play areas or child friendly facilities. At the moment the main road is very busy with lorries and it will get busier with amount of new houses being built. I do have to question what sort of people would be using this facility as at the moment there are children living on this street who need to feel safe.

Objection – Linzi & Daniel Moorcroft, 8 Moorcroft, Lower Darwen. Received: 02/08/2022

I am emailing to object to the planning application that I have received this morning to change the class of property use for number 5 Moorcroft.

Please note my reasons for objecting to this proposed change;

1. There is already a lack of parking on this cul de sac as this a small residential street.
 2. There is no transport links to access amenities. This would mean all staff and service users would require parking for vehicles which is not suitable.
 3. Congestion would be extremely difficult and I fear this would be a health and safety risk.
-

2nd Objection – Linzi & Daniel Moorcroft, 8 Moorcroft, Lower Darwen Received: 09/11/2022.

I am emailing to object to the planning application that I have received this morning in relation to change of use for property number 5 Moorcroft, Lower Darwen.

Please note my reasons for objecting to this proposed change;

1. There is already a lack of parking on this cul de sac as this a small residential street.
 2. There is no transport links to access amenities. This would mean all staff and service users would require parking for vehicles which is not suitable.
 3. Congestion would be extremely difficult and I fear this would be a health and safety risk.
 4. This proposed change will be an overdevelopment of the site for this cul de sac.
 5. There is already a facility for this provision within a 1 mile radius.
 6. The comings and goings of endless shift changes will impact traffic/noise and general disturbance.
 7. There is no immediate amenities that are accessible either by walking or public transport. This means service users and staff will require use of a vehicle, again adding to the lack of parking space already available within a small cul de sac.
 8. The size of the property is an outlier, thus causing lack of privacy to surrounding properties.
-

Objection – Robert & Gail Murphy, 4 Moorcroft, Lower Darwen. Received: 02/08/2022.

My family at number 4 Moorcroft strongly object to this proposal. This is a quiet residential area close to Lower Darwen Primary School. Parking on Moorcroft is already at a premium due to families with multiple vehicles, and cannot support a business housing up to 5 families and staff. The infrastructure of Moorcroft could not cope with extra pressure of traffic.

This is a most underhanded application, having successfully applied for an extension to a residential property and now change it for this business of multiple occupation.

We have already signed the petition as have all the residents of Moorcroft.

We expect this application to be refused and the means of the application to be investigated fully to see if any planning protocols have been broken or abused.

2nd Objection – Robert & Gail Murphy, 4 Moorcroft, Lower Darwen. Received: 01/11/2022.

Regarding Planning Application 10/22/0739.

My family at number 4 Moorcroft strongly object to this proposal. Reduction from 5 families to 4 families is a nonsense.

This application should be rejected due to the deceit of the original application to extend a residential property. Moorcroft must remain a residential area. The infrastructure cannot support the extra occupants suggested.

It must be noted that building work continues at the property which suggests that the application is successful?

As you are aware a petition was signed in August by all residents of Moorcroft and some from surrounding areas to stop this application.

I also question that the size of the extension does not comply with regulations.

We still expect that this application is rejected and the property must remain a dwelling house and not a residential institution.

Objection – Mrs Lisa & Mr Neil Sumner, 27 Moorcroft, Lower Darwen, BB3 0RY. Received: 02/08/2022.

We write with reference to the planning application for change of use from a dwelling house (C3) to a residential institution (C2) at number 5 Moorcroft, Lower Darwen, BB3 0RY.

We live at the top of the cul-de-sac, outside my house already has parked cars from the neighbouring properties sometimes making it difficult to back off my drive.

We see a lot of traffic turning already, this can be difficult for the bin wagons on bin day already, this development may add to the already difficult parking conditions with the addition of 5 residents, staff supporting them and also any additional services that may need to visit. The proposed use of the property would result in materially greater levels of activity arising from comings and goings than an ordinary family home.

I work with disabilities and have noticed how difficult it is to negotiate the pavements with a wheelchair due to the amount of cars parked up on the pavements already, I am sure additional cars would make this harder, due to the width of the road it is impossible to park with all 4 wheels on the road as this **stops access for emergency vehicles**. We have local families with disabled children and I know this is a common complaint on the local forum on how difficult and dangerous it is for them to have to go out into the road with their wheelchairs, also mothers with prams. Especially with the large amount of traffic generated at School start/finish times.

In the winter months we are not on a gritting route as it stops at the local school, our cul-de-sac becomes dangerous for getting up and down especially with the hazard of parked cars. We have no access to a nearby grit bin. My main concern is the **additional traffic, noise pollution and lack of parking**.

The planning application states it will recommend staff to use local transport links, Lower Darwen has one of the worst bus services in the borough the nearest railway station is not within walking distance, so this would probably cause staff and anyone staying in the planned facility (5 occupants plus a child each) to use cars/taxis again increasing the amount of traffic to an already busy street. The size of the extension already granted is over 50% of the land the property had, this has taken over the majority of the garden, where are the parents supposed to play and interact with their children?, I don't feel there is enough outdoor space for safe play, the front is being turned into parking. The local facility set up for this type of residence (phoenix family care limited) within a 3 mile radius is set in spacious grounds away from traffic with a lot of outdoor space, this is my idea of the right type of property not one in a built up residential area. We have a facility locally and I don't feel there is a need for another one so close. We don't have a local park, the local green areas that we had are now building sites for warehousing/new builds. Children need a garden to play in this oversized extension has taken away the outdoor space needed.

I have other concerns that may not impact me directly but could be unpleasant for the other residents, anti-social behaviour by the people being monitored. Staff coming and goings additional waste created by 5 families assuming they would need industrial size bins to accommodate nappies etc most of these units are filled with young parents with children under 5 from the research I have done, with bins only being emptied once a fortnight this may cause bad smells and could attract vermin.

Should this go to a committee to be discussed I would like the opportunity to attend any such meeting to voice my concerns my contact details are above my email address is Please ensure I am added to any list for contact for the future.

Finally I have been looking into the company that is planning to use the building for the use it is a company that was registered last year, it has had no activity, it appears to be one director (the son of the lady that owns number 5)

They have stated they will have to obtain Ofsted registration after having the permission granted so they are not already in a position to use the building for the planned usage. I am a CQC registered manager and I know that getting these registrations are time consuming and difficult for the right reasons to protect the vulnerable. Too many people are trying to venture into these care establishments purely for profiteering, they don't care if the facility is right for the people using it. Had the company applying been of good stature with reviewable ratings, and a proven track record for supplying the services on the application, I may have had a slightly different opinion on their application.

I am however sceptical that this application is for the right reasons, knowing the lovely family that was evicted from the property for no fault of their own. First a planning application to extend the house to a larger size than any of the neighbouring properties, it was already a lovely family home with 5 bedrooms, the building works have only just started and now a change of use is being requested, I feel this was all intended and the owner of the house should have been honest and upfront with her original planning application giving the neighbours fair information to base their view on when the application was served, now it makes sense why there have made an oversized property.

Should they be unable to obtain the registration or recruit staff to run the facility what could happen is the house could be sold on to who knows who and for a multitude of purposes. I know you do not look at what ifs but for myself and my neighbours I worry that the classification can cover many different areas of those in need of support services. We are already over run with HMO's in the borough I see reading today's paper that a block to creating more has been imposed, due to the drain on resources and the amount of people entering the borough from other areas. I really do hope that you put a stop to this application as it's not needed or suitable in our area.

Finally if you check the title deeds for all of the properties on the development it states on the restrictive covenants.

2. not to construct or permit to be constructed any buildings on the property other than private dwellings and garages

2nd Objection – Mrs Lisa & Mr Neil Sumner, 27 Moorcroft, Lower Darwen. Received: 11/11/2022.

We write with reference to the planning application for change of use from a dwelling house (C3) to a residential institution (C2) at number 5 Moorcroft, Lower Darwen, BB3 0RY.

We live at the top of the cul-de-sac, outside my house already has parked cars from the neighbouring properties sometimes making it difficult to back off my drive.

We see a lot of traffic turning already, this can be difficult for the bin wagons on bin day already, this development may add to the already difficult parking conditions with the addition of 4 residents, staff supporting them and also any additional services that may need to visit. The proposed use of the property would result in materially greater levels of activity arising from comings and goings than an ordinary family home.

I work with disabilities and have noticed how difficult it is to negotiate the pavements with a wheelchair due to the amount of cars parked up on the pavements already, I am sure additional cars would make this harder, due to the width of the road it is impossible to park with all 4 wheels on the road as this **stops access for emergency vehicles**. We have local families with disabled children and I know this is a common complaint on the local forum on how difficult and dangerous it is for them to have to go out into the road with their wheelchairs, also mothers with prams. Especially with the large amount of traffic generated at School start/finish times.

In the winter months we are not on a gritting route as it stops at the local school, our cul-de-sac becomes dangerous for getting up and down especially with the hazard of parked cars. We have no

access to a nearby grit bin. My main concern is the **additional traffic, noise pollution and lack of parking.**

The planning application states it will recommend staff to use local transport links, Lower Darwen has one of the worst bus services in the borough the nearest railway station is not within walking distance, so this would probably cause staff and anyone staying in the planned facility (4 occupants plus a child each) to use cars/taxis again increasing the amount of traffic to an already busy street. The size of the extension already granted is over 50% of the land the property had, this has taken over the majority of the garden, where are the parents supposed to play and interact with their children?, I don't feel there is enough outdoor space for safe play, the front is being turned into parking. The local facility set up for this type of residence (phoenix family care limited) within a 3 mile radius is set in spacious grounds away from traffic with a lot of outdoor space, this is my idea of the right type of property not one in a built up residential area. We have a facility locally and I don't feel there is a need for another one so close. We don't have a local park, the local green areas that we had are now building sites for warehousing/new builds. Children need a garden to play in this oversized extension has taken away the outdoor space needed.

I have other concerns that may not impact me directly but could be unpleasant for the other residents, anti-social behaviour by the people being monitored. Staff coming and goings additional waste created by 4 families assuming they would need industrial size bins to accommodate nappies etc most of these units are filled with young parents with children under 5 from the research I have done, with bins only being emptied once a fortnight this may cause bad smells and could attract vermin.

I also have concerns that the people responsible for providing services within this development have no proven track record, have yet to gain Ofsted approval, we have questioned their motives from the day this house started being developed at such a grand scale, with constant changes to the planning applications.

Many thanks for taking our views into account.

Objection – John Ashurst, 3 Moorcroft, Lower Darwen, BB3 0RY. Received: 03/08/2022.

My wife and I live adjacent to the proposed change of use property and it was in fact my daughter and family who were evicted from number 5 to allow this proposal to go forward, it was stated by the owners at the time of the serving of the section 21 that they needed the house for their son and family to live in, apparently not the case.

We took a balanced approach to the original planning application though I did object that for such a large property there was a lack of car parking provision. Parked cars in Moorcroft can be already challenging and it is usual for access to be restricted with parked cars on the road, this proposal can only make the situation substantially worse as the 4 designated spaces now allocated is, in my opinion, totally inadequate for the traffic an institution such as this is likely to generate.

Parked cars on Moorcroft already make it difficult for pram users or people with disabilities, something that can only get much worse if this planning application is successful. Emergency vehicles must also be considered given that we already suffer from restricted access at times which, if traffic/parking volumes increase, could result in a life threatening situation.

We are also concerned about potentially the number of visitors there may be to the institution should it go forward, fathers and family members along with health professionals and other official persons etc. In any event if the facility is working on a 3 shift system 24/7 there will be staff changeovers at anti-social hours which will no doubt result in disturbance to the people living close to No 5.

The supporting brochure that accompanies the application is in my view a very good PR exercise but is totally without merit, it says all the right things but does not offer a shred of evidence of experience of running such an establishment.

The company says it has a robust policy on drug and alcohol use and will remove anyone who does not comply, fine words but if they have never run a facility I find it difficult to believe they can deliver on this promise. They also say they will apply for Ofsted registration but again where is the evidence they have experience in this field.

Likewise the statements that the residents will use public transport and facilities does not wash as there is little public transport in Lower Darwen.

The whole document is professionally written the problem is I feel it is what the council want to hear rather than being based on factual evidence. I personally do not believe it.

This company was only set up last year, it is a reasonable assumption that they do not have any experience in this field and this planning application is seen as a lucrative enterprise that in all probability would be sold on if planning permission is granted.

Frankly, the way this has been handled right from the start leaves a very nasty taste as I cannot trust anything they have stated in their PR document or what they now say.

In short I feel that this proposal would lead to an unacceptable increase of activity around the property and for this reason the application should be rejected.

Finally, the title deeds to properties on Moorcroft have a restrictive covenant which does not allow any buildings other than private dwellings and garages to be constructed.

2nd Objection – John Ashurst, 3 Moorcroft, Lower Darwen. Received: 10/11/2022.

My wife and I live adjacent to the proposed change of use property and it was in fact my daughter and family who were evicted from number 5 to allow this proposal to go forward, it was stated by the owners at the time of the serving of the section 21 that they needed the house for their son and family to live in, apparently not the case.

We took a balanced approach to the original planning application though I did object that for such a large property there was a lack of car parking provision. Parked cars in Moorcroft can be already challenging and it is usual for access to be restricted with parked cars on the road, this proposal can only make the situation substantially

worse as the 4 designated spaces now allocated is, in my opinion, totally inadequate for the traffic an institution such as this is likely to generate.

Having now seen the scale of the extension being constructed, under the original planning application, I would certainly have objected that this is overdeveloping the site and is not in keeping with other properties in the area. In addition, there is now very little rear garden space.

Parked cars on Moorcroft already make it difficult for pram users or people with disabilities, something that can only get much worse if this planning application is successful. Emergency vehicles must also be considered given that we already suffer from restricted access at times which, if traffic/parking volumes increase, could result in a life threatening situation.

We are also concerned about potentially the number of visitors there may be to the institution should it go forward, fathers and family members along with health professionals and other official persons etc. In any event if the facility is working on a 3 shift system 24/7 there will be staff changeovers at anti-social hours which will no doubt result in disturbance to the people living close to No 5.

The supporting brochure that accompanies the application is in my view a very good PR exercise but is totally without merit, it says all the right things but does not offer a shred of evidence of experience of running such an establishment.

The company says it has a robust policy on drug and alcohol use and will remove anyone who does not comply, fine words but if they have never run a facility I find it difficult to believe they can deliver on this promise. They also say they will apply for Ofsted registration but again where is the evidence they have experience in this field.

Likewise the statements that the residents will use public transport and facilities does not wash as there is little public transport in Lower Darwen. The accompanying document even states that *"Darwen town centre is 5-10 minutes away by car and there's easy access to local parks and the wider countryside of the West Pennine Moors, including areas such as Blacksnape recreational area and countryside areas of immense beauty and scenery."*

The whole document is professionally written the problem is I feel it is what the council want to hear rather than being based on factual evidence. I personally do not believe it.

This company was only set up last year, it is a reasonable assumption that they do not have any experience in this field and this planning application is seen as a lucrative enterprise that in all probability would be sold on if planning permission is granted.

Frankly, the way this has been handled right from the start leaves a very nasty taste as I cannot trust anything they have stated in their PR document or what they now say.

In short, I feel that this proposal will lead to an unacceptable increase of activity around the property and for this reason the application should be rejected.

Finally, the title deeds to properties on Moorcroft have a restrictive covenant which does not allow any buildings other than private dwellings and garages to be constructed.

Objection – Paul Eatwell, 8 Briarcroft, Lower Darwen. Received: 03/08/2022

I write in response to your recent letter regarding the Planning Application under consideration for number **5 Moorcroft, Lower Darwen, BB3 0RY** for the change of use from a dwellinghouse (Use Class C3) to a residential institution (Use Class C2) to house up to five families – parent(s) and one child – for 12 week durations, to allow ‘Residential Parenting Assessments’.

Use Class C3, which currently applies to the residential properties in the developments off Milking Lane in Lower Darwen (i.e. the area surrounding the property referred to in the planning application) is defined as a dwelling house, flat, apartment etc. (whether or not as main residence) by a single person or by people to be regarded as forming a single household with no more than 6 residents.

The scale of the change proposed in this application is completely at odds with the residential area in which the property is situated, changing a building intended for use by a single family of no more than 6 residents, situated on a small plot in a residential area to one occupied by up to 10 or more residents and 10 staff, obscuring current gardens, both front and rear and adversely impacting the amenity of the adjoining properties and the surrounding area. The prospect of opening up the area to commercial development is also somewhat alarming.

The area is poorly served by public transport with only a very limited bus service in Lower Darwen and no access to rail links within walking distance. The area also lacks any easily accessible parks, playing fields or green spaces and the area is surrounded by warehouses and industrial units.

There is no local supermarket, only a small village shop and a local petrol station. There is a small coffee shop and two takeaway food shops but nowhere within easy walking distance for residents to meet or socialise with their visiting friends and relatives or simply to spend time outside of the proposed institution.

There is no local Doctor’s surgery or other healthcare facility within easy walking distance and the nearest chemist is over a mile away.

In addition, the property is in an area where parking is already under pressure from existing residents, the local school and the proposed development of additional residential properties in the Millbank Road/Milking Lane area so any additional pressure brought about by staff and visitor parking is likely to have a detrimental effect on the area.

As a Family Judge sitting in the Lancashire Family Courts, there is also the potential for conflict in the event that any families whose cases that I have dealings with are referred to the assessment facility so close to where I live.

Given the scale of the works proposed to expand the property, the impact on adjoining properties and the local area, the dearth of existing local facilities and the poor transport links – in terms of the limited number of services and the hours during which those services operate – I do not believe that the change of use applied for is either appropriate or sustainable.

I therefore object to the planning application.

2nd Objection – Paul Eatwell, 8 Briarcroft, Lower Darwen. Received: 03/11/2022.

I write in response to your recent letter regarding an amendment to the Planning Application under consideration for number **5 Moorcroft, Lower Darwen, BB3 0RY** for the change of use from a dwellinghouse (Use Class C3) to a residential institution (Use Class C2) to house up to four (instead of the original 5) families – parent(s) and one child – for 12 week durations, to allow ‘Residential Parenting Assessments’.

I have looked at the Council’s planning website and the only amendment that I can see is a reduction by one in the number of families to be accommodated in the proposed institution. This amendment makes no material difference to the substance of the proposed change of use, its dependence on local services and infrastructure nor to the likely impact on the surrounding area.

On that basis my objection to the granting of the requested change of use for the property remains as stated in my original objection letter dated 3rd August 2022, albeit with 2 fewer residents.

Use Class C3, which currently applies to the residential properties in the developments off Milking Lane in Lower Darwen (i.e. the area surrounding the property referred to in the planning application) is defined as a dwelling house, flat, apartment etc. (whether or not as main residence) by a single person or by people to be regarded as forming a single household with no more than 6 residents.

The scale of the change proposed in the application is completely at odds with the residential area in which the property is situated, changing a building intended for use by a single family of no more than 6 residents, situated on a small plot in a residential area to one occupied by up to 8 or more residents and 10 staff, obscuring current gardens, both front and rear and adversely impacting the amenity of the adjoining properties and the surrounding area. The prospect of opening up the area to commercial development is also somewhat alarming.

The area is poorly served by public transport with only a very limited bus service in Lower Darwen and no access to rail links within walking distance. The area also lacks any easily accessible parks, playing fields or green spaces and the area is surrounded by warehouses and industrial units.

There is no local supermarket, only a small village shop and a local petrol station. There is a small coffee shop and two takeaway food shops but nowhere within easy walking distance for residents to meet or socialise with their visiting friends and relatives or simply to spend time outside of the proposed institution.

There is no local Doctor's surgery or other healthcare facility within easy walking distance and the nearest chemist is over a mile away.

In addition, the property is in an area where parking is already under pressure from existing residents, the local school and the proposed development of additional residential properties in the Millbank Road/Milking Lane area so any additional pressure brought about by staff and visitor parking is likely to have a detrimental effect on the area.

As a Family Judge sitting in the Lancashire Family Courts, there is also the potential for conflict in the event that any families whose cases that I have dealings with are referred to the assessment facility so close to where I live.

Given the scale of the works already in progress to extend the property, the impact on adjoining properties and the local area, the dearth of existing local facilities and the poor transport links – in terms of the limited number of services and the hours during which those services operate – I do not believe that the change of use applied for is either appropriate or sustainable.

I therefore object to the planning application.

Objection – Paul Tomlinson, 55 Milking Lane, Lower Darwen. Received: 03/08/2022 & 09/11/2022.

I would like to most strongly appeal against the planning application for 5 Moorcroft, Lower Darwen BB3 0RY for the following reasons...

- (1) it is not appropriate for problem/unbalanced children to be housed in a residential area such as ours. it is a quiet family area with lots of small children and Grandchildren playing outside and this would put them at significant risk from unsavory out of control children.
- (2) There will be obviously staff, medical workers, social workers and visitors which will require extra parking which in turn will cause problems for residents parking.
- (3) I do not want to look out of my bedroom window and see a big ugly extension instead of nice gardens which is the norm for my area.
- (4) I believe there has been comment that visitors and staff and medical workers will be able to use public transport but in actual fact there is no train or bus service to Lower Darwen so that would not be the case.
- (5) I also feel that our area is purely residential and businesses should not be allowed to operate from residential buildings.

NB...why have they started building ? (i would like a response via email about this point) the foundations have been put in and walls are already above head height ,surely this is not the correct procedure when planning permission has only just been applied for. In fact there are substantial rumor's going round that the owner of the residence in question works for the Blackburn with Darwen planning dep't. If this is the case it is very a unprofessional and corrupt way to run a department.

Objection – Zoe & Mark Percival, 21 Moorcroft, Lower Darwen. Received: 04/08/2022

We would like to formally lodge our objection to the above planning application at number 5 Moorcroft.

As a resident of Moorcroft and one with young children I don't feel that this is the right place for an assessment unit of this nature.

Whilst we are not against the idea of this sort of place I don't feel that this is the area for it at all. There is one less than a mile away better suited to provide the amenities that would be beneficial to the people using it. It's in a secure location one with no immediate neighbouring homes. This isn't what Moorcroft can provide.

We have no direct bus route, the nearest being either the bottom end of Branch Road or just off Junction 4 near to Darwen Vale high school.

No direct train service, the nearest Darwen town centre or Blackburn this would then mean taxis would have to be used, increasing traffic on the street!

The amount of cars mentioned in the application would ultimately increase the amount of traffic using Moorcroft.

Living at the top of a turn around point on the road we have seen near misses from the taxis and other people such as bin wagons, delivery vehicles and residents due to the lack of turning space. If 4 cars, as set out on the plan, are likely to be used for the assessment unit what's to say that it's just 4?! It's already incredibly hard to get up the road at quieter times. If emergency services need to get to the top of the road, which they would no doubt find difficult now, adding another 4 cars/plus this would then put people in danger as it would restrict the road further than it already is due to residents parking at the ends and along the road, this ultimately takes the road down to a single vehicle road!

My daughter has a friend that is wheelchair bound, he comes to call for my daughter to go and play and he lives just up the road from us on Milking Lane and he finds that negotiating the parked cars which take up 3/4 of the path are forcing him onto the road. The extra cars and traffic would put people like him at further risk and surely that's not something you can allow to happen?? Our children play out on the street and the added traffic would put them at risk of being hurt due to the reduction of space and the extra traffic on the street.

What about the use of commercial bins and the added risk of vermin being attracted??

What about the noise coming from the unit?? There's no way upto 10 families with babies wouldn't increase the noise inflicted on those directly next to the house.

Where are the families meant to play with the children? The house has almost no back garden and we have no useable park or play group or green space for that matter as it's all due to be built on!!

The fact that Police was mentioned in the plans has me worried as it is already assuming that there could be issues with regards to violence! This does not fill me with confidence that my children wouldn't be exposed to it and this would impact their freedom and independence as I wouldn't want them walking passed No.5 without us being with them!

I recent news article in a local paper has already compromised the ability of the unit to remain confidential as its now public knowledge of it's possible address this in itself leaves the residents and any person using it at risk!

The house itself shouldn't be being extended on the ground of business purposes as it states in the deeds of our homes for Residential use only, which No.5 will no longer be regardless of how you word it. No.5 had told residents that it was being extended for family use but just was clearly not the cases.

As I mentioned above in my email I and my family doesn't feel a street as small and compact as Moorcroft is the right street or area for a unit of this nature to be set up.

2nd Objection – Zoe & Mark Percival, 21 Moorcroft, Lower Darwen. Received: 11/11/2022.

As a resident of Moorcroft and one with young children I don't feel that this is the right place for an assessment unit of this nature, whether it be registered as residential or used under a business name.

I for one don't feel comfortable with it being on this street and being run by people who seem to be using very underhanded tactics to be able to get the change of use pushed through without the residents of the street being aware of it.

What does that say about the people wanted to run this particular business? For me it says untrustworthy! And in a residential area you need to be able to have some sort of trust in your neighbourhood that if needed to can count on them for help, that isn't happening here.

Whilst we are not against the idea of this sort of place I don't feel that this is the area for it at all.

There is one less than a mile away better suited to provide the amenities that would be beneficial to the people using it. It's in a secure location one with no immediate neighbouring homes. This isn't what Moorcroft can provide.

We have no direct bus route, the nearest being either the bottom end of Branch Road or just off Junction 4 near to Darwen Vale high school.

No direct train service, the nearest Darwen town centre or Blackburn this would then mean taxis would have to be used, increasing traffic on the street!

The amount of cars mentioned in the application would ultimately increase the amount of traffic using Moorcroft.

Living at the top of a turn around point on the road we have seen near misses from the taxis and other people such as bin wagons, delivery vehicles and residents due to the lack of turning space.

If 4 cars, as set out on the plan, are likely to be used for the assessment unit what's to say that it's just 4?! It's already incredibly hard to get up the road at quieter times. If emergency services need to get to the top of the road, which they would no doubt find difficult now, adding another 4 cars/plus this would then put people in danger as it would restrict the road further than it already is due to residents parking at the ends and along the road, this ultimately takes the road down to a single vehicle road!

My daughter has a friend that is wheelchair bound, he comes to call for my daughter to go and play and he lives just up the road from us on Milking Lane and he finds that negotiating the parked cars which take up 3/4 of the path are forcing him onto the road. The extra cars and traffic would put people like him at further risk and surely that's not something you can allow to happen?? Our children play out on the street and the added traffic would put them at risk of being hurt due to the reduction of space and the extra traffic on the street.

What about the use of commercial bins and the added risk of vermin being attracted??

What about the noise coming from the unit?? There's no way upto 10 families with babies wouldn't increase the noise inflicted on those directly next to the house.

Where are the families meant to play with the children? The house has almost no back garden and we have no useable park or play group or green space for that matter as it's all due to be built on!!

The fact that Police was mentioned in the plans has me worried as it is already assuming that there could be issues with regards to violence! This does not fill me with confidence that my children wouldn't be exposed to it and this would impact their freedom and independence as I wouldn't want them walking passed No.5 without us being with them!

I recent news article in a local paper has already compromised the ability of the unit to remain confidential as its now public knowledge of it's possible address this in itself leaves the residents and any person using it at risk!

The house itself shouldn't be being extended on the ground of business purposes as it states in the deeds of our homes for Residential use only, which No.5 will no longer be regardless of how you word it. No.5 had told residents that it was being extended for family use but just was clearly not the cases.

I know of another Residential childrens care home (higher feniscowles farm) that was turned down last year! Surely this can't be passed on the same grounds. Unsuitable for the area!

As I mentioned above in my email I and my family doesn't feel a street as small and compact as Moorcroft is the right street or area for a unit of this nature to be set up.

Objection – Mrs Lynette & Mr John Gillibrand, 6 Moorcroft, Lower Darwen, BB3 0RY. Received: 11/08/2022

5 Moorcroft, Lower Darwen, BB3 0RY change of use from a dwellinghouse (use Class C3) to a residential institution (use Class C2) to house up to five families – parent(s) and one child – for 12 weeks durations, to allow 'Residential Parenting Assessments'

We OBJECT to the above planning application on the following grounds:

- 1) Inadequate parking provision/traffic control/highway safety concerns – there is already limited on-road parking at Moorcroft much of which is already utilised by residents. Inadequate parking provision (4 spaces) in the supplied proposal is likely to result in additional on-road parking having a negative impact on the accessibility to properties and resident's driveways, this will also be compounded by the necessity of a drop curb to enable 2 of the planned parking spaces in the area to the side of the current driveway. Increased travel up and down the road for turning at the top of the cul-de-sac will increase traffic and disruption to residents. Many families on the cul-de-sac have small children (of which 5 young children reside in the 2 houses directly opposite at No. 6 and No. 8), for which additional traffic will increase potential for accidents, or impact the ability for families to feel that this is safe for children to play out. Although the proposal states that workers will be encouraged to car share, there needs to be acknowledgement that car sharing is very rarely successfully implemented, with 3 staff on shift at any one time, access required by midwifery and health visiting staff, social care workers, other relevant health and social care professionals and possibly visitors, it is unlikely that residents will not be impacted by the increased traffic and parking. Moorcroft has already seen an increase in parking from non-residents for school drop off and collections due to the proximity with Lower Darwen Primary School following the expansion to two forms per year group, there has also been a shift in parking from the bottom of Milking Lane following the opening of the new link road (Millbank Road) which is also impacting the cul-de-sac.

- 2) The homes on Moorcroft are Leasehold, and in the restricted covenants it states 'Not without consent in writing of the Vendor to permit any building for the time being on the Property to be used otherwise than as a private dwelling' the change to a residential institution is in conflict with the terms of the leasehold agreement.

Under Section 191 of the Town and Country Planning Act 1990 (Amended) evidence needs to be supplied in support of the application to justify on the balance of probability use by the specified number of residents at any one time. The proposal states that there may be 2 parent families accommodated from time to time, as this was originally proposed as a parental assessment unit with 5 single parents and their children, the ambiguity introduced by specifying that there may on occasion be 2 parents per child can significantly increase the numbers of people residing in this house at any one time.

- 3) Due to the nature of shift work the proposed use of the property will cause increased disruption to families during shift changes overnight, greater level of activity resulting from comings and goings associated with visits and daytime shift changes, than an ordinary family home.
- 4) Lack of stated infrastructure and facilities - The proposal from Gryffin House states that families are unlikely to have access to a vehicle, however states that the area is well served by local rail the nearest of which is not within walking distance and would require a taxi if not utilising a vehicle (approx. 2 miles). Recreational areas would be inaccessible without a vehicle – Blacksnape (approx. 2 miles). Community resources specified as libraries, places of worship, charities, children's centres are limited in the local area without use of a vehicle, and the majority of which cannot be found in Lower Darwen at all. Nor does Lower Darwen benefit from a high level and well served public transport provision, which would result in the use of taxis, again adding to traffic concerns.
- 5) Query the requirement of C2 type of provision in Lower Darwen, when another unit is already situated in the area providing the same service – Phoenix Care is approximately 1 mile away and already experiences periods where not at capacity, however standard of provision and facilities available for families are more suitable. There are large garden grounds for parents to spend time, and recreate in, there is no such provision at 5 Moorcroft, as the current extension which is underway has removed the majority of the garden space which will result in little to no outdoor space for recreation. This will result in impact to residents.
- 6) No previous record of running this type of institution, nor currently Ofsted regulated. We are concerned of the suitability and safety of the level of provision that will be provided directly opposite our home.

- 7) Antisocial behaviour – concerns that there will be an increase in anti-social behaviour resulting from parents who come to Gryffin House under stressful circumstances to have parenting abilities assessed. Potential negative impact on Moorcroft residents and families being exposed to behaviour of this nature when this is not currently a problem in this community. Plans to mask the location to prevent unwanted visitors, may already be compromised due to reporting in the Lancashire Evening Telegraph in terms of these proposals stating the road name.
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2nd Objection – Mrs Lynette & Mr John Gillibrand, 6 Moorcroft, Lower Darwen, BB3 0RY. Received: 10/11/2022.

I have again referenced below our objections to the above planning application (which I have also attached).

I would also like to add that as residents we are incredibly disappointed to have to object again to what is essentially the same application (change of usage) for 1 less family, without having received a decision from the council planning department for the original application.

5 Moorcroft, Lower Darwen, BB3 0RY change of use from a dwellinghouse (use Class C3) to a residential institution (use Class C2) to house up to four families – parent(s) and one child – for 12 weeks durations, to allow ‘Residential Parenting Assessments’ (10/22/0739).

We OBJECT to the above planning application on the following grounds:

Inadequate parking provision/traffic control/highway safety concerns – there is already limited on-road parking at Moorcroft much of which is already utilised by residents. Inadequate parking provision (4 spaces) in the supplied proposal is likely to result in additional on-road parking having a negative impact on the accessibility to properties and resident’s driveways, this will also be compounded by the necessity of a drop curb to enable 2 of the planned parking spaces in the area to the side of the current driveway. Increased travel up and down the road for turning at the top of the cul-de-sac will increase traffic and disruption to residents. Many families on the cul-de-sac have small children (of which 5 young children reside in the 2 houses directly opposite at No. 6 and No. 8), for which additional traffic will increase potential for accidents, or impact the ability for families to feel that this is safe for children to play out.

Although the proposal states that workers will be encouraged to car share, there needs to be acknowledgement that car sharing is very rarely successfully implemented, with 3 staff on shift at any one time, access required by midwifery and health visiting staff, social care workers, other relevant health and social care professionals and possibly visitors, it is unlikely that residents will not be impacted by the increased traffic and parking. Moorcroft has already seen an increase in parking from non-residents for school drop off and collections due to the proximity with Lower Darwen Primary School following the expansion to two forms per year group, there has also been a shift in parking from the bottom of Milking Lane following the opening of the new link road (Millbank Road) which is also impacting the cul-de-sac.

The homes on Moorcroft are Leasehold, and in the restricted covenants it states ‘Not without consent in writing of the Vendor to permit any building for the time being on the Property to be used otherwise than as a private dwelling’ the change to a residential institution is in conflict with the terms of the leasehold agreement.

Under Section 191 of the Town and Country Planning Act 1990 (Amended) evidence needs to be supplied in support of the application to justify on the balance of probability use by the specified number of residents at any one time. The proposal states that there may be 2 x 2 parent families accommodated from time to time resulting in the possibility of 10 accommodated residents. This unit is proposed as a parental assessment unit with 4 single parents and their children, the ambiguity introduced by specifying that there may on occasion be 2 parents per child can significantly increase the numbers of people residing in this house at any one time, and an increase in visitation. Despite the amendment to reduce the plan from 5 families to 4 this will make little to no difference in terms of a reduction in the expected traffic or disruption due to visitation.

Due to the nature of shift work the proposed use of the property will cause increased disruption to families during shift changes overnight, greater level of activity resulting from comings and goings associated with visits and daytime shift changes, than an ordinary family home.

Lack of stated infrastructure and facilities - The proposal from Gryffin House states that families are unlikely to have access to a vehicle, however states that the area is well served by local rail the nearest of which is not within walking distance and would require a taxi if not utilising a vehicle (approx. 2 miles). Recreational areas would be inaccessible without a vehicle – Blacksnake (approx. 2 miles). Community resources specified as libraries, places of worship, charities, children's centres are limited in the local area without use of a vehicle, and the majority of which cannot be found in Lower Darwen at all. Nor does Lower Darwen benefit from a high level and well served public transport provision, which would result in the use of taxis, again adding to traffic concerns.

Query the requirement of C2 type of provision in Lower Darwen, when another unit is already situated in the area providing the same service – Phoenix Care is approximately 1 mile away and already experiences periods where not at capacity, however standard of provision and facilities available for families are more suitable. There are large garden grounds for parents to spend time, and recreate in, there is no such provision at 5 Moorcroft, as the current extension which is underway has removed the majority of the garden space which will result in little to no outdoor space for recreation. This will result in impact to residents.

No previous record of running this type of institution, nor currently Ofsted regulated. We are concerned of the suitability and safety of the level of provision that will be provided directly opposite our home.

Antisocial behaviour – concerns that there will be an increase in anti-social behaviour resulting from parents who come to Gryffin House under stressful circumstances to have parenting abilities assessed. Potential negative impact on Moorcroft residents and families being exposed to behaviour of this nature when this is not currently a problem in this community. Plans to mask the location to prevent unwanted visitors, may already be compromised due to reporting in the Lancashire Evening Telegraph in terms of these proposals stating the road name.

Objection – Alan & Kerry Clayton, 11 Moorcroft, Lower Darwen, BB3 0RY. Received: 12/08/2022 & 09/11/2022

We would like to add our objections to 5 Moorcroft BB30RY - Change of use.

We are sure you will have received many objections regarding this property so we shall keep this email short and to the point.

We are concerned regarding the following issues

- Extra traffic - There will be extra traffic/cars from different services - social services/ staff/ taxis - lots of young children like to play out on Moorcroft and I am concerned regarding their safety
- Amenities - There are no areas to walk/ play and no parks and the bus route is poor.
- Parking - this is quite a small close and already is congested with cars, as many of the residents have 2 or more cars and that is before extra traffic.
- Not suitable for residential area
- Noise disruption - Moorcroft is a quiet close and that is why we chose to live here
- Bins - Surely with so many families will need big bins that I know are collected at different hours, causing more disruption and noise and traffic.

This extension leaves these poor families no garden. As a Mum and EYFS teacher myself I know how important it is to have fresh air and time outside with my children. These young mothers need a lovely big garden so they can bond with their children.

Also as part of our deeds this development is that they are private dwelling housing for one household and not to be used for business. Another reason why this should not be approved.

Please consider this opposition with the highest urgency.

Objection – Anonymous. Received: 15/08/2022.

We would like to lodge our objection to the above planning application at number 5 Moorcroft.

Whilst we are not against the idea of this kind of facility there is one already a short distance away and the area of Moorcroft just is not the right place for another. Does this not also need OFSTED approval? What if they do not get this could it be turned into something else? Have this company had a experience in running this type of facility?

We live at the top of Moorcroft and we already have an issue with traffic on the street. We worry a lot that if we needed a fire engine or an ambulance that they would not be able to get up to us. Residents from further down need to park up near us as there is already not enough room. So adding this facility would increase the traffic considerably as we are not on a bus route so cars would be required. Adding to this the extra cars on milking lane with the school and the increased cars when the new houses are built would make the area even more dangerous than it is now.

We have 2 children, our 13 year old gets off the bus from school (outside oakenhurst because as

mentioned we are not on a bus route) then has to walk all the way up and will have to walk past this property, can I be assured that my child will be safe when walking past? I don't think I can as on the application it mentions police which is a red flag to me. We also have a 6 year old who goes to the local school, we obviously walk but that comes with danger due to the traffic so would be the same on our small street as people would park on the pavement as the road isn't wide enough to double park meaning we would need to walk on the road with her.

There are a lot of children and elderly residents on Moorcroft both I am sure will be disturbed by the increased noise that will come from the new property with the greater activity than that of a family home (which residents thought it was originally planned to be).

Alongside the increased traffic and noise, there will be a need for industrial bins (where would these go) which could lead to vermin being attracted to the area which is also dangerous. The house has no back garden due to the extension so where are the parents supposed to go? We have lost any green space, there are no parks, no shops unless you want a decent walk, no bus route for them to go anywhere. So unfortunately Moorcroft is not the right area for this type of proposal.

On a last note it says on all our house deeds that we are only allowed to make improvements to our houses for residential purposes which number 5 will not be.

Thank you for taking the time to read this, we are so upset by this proposal on this tiny street that we had to contact you.

2nd Objection – Anonymous. Received: 09/11/2022.

We would like to lodge our objection to the above planning application at number 5 Moorcroft. Whilst we are not against the idea of this kind of facility there is one already a short distance away and the area of Moorcroft is not the right place for another. The one near jct 4 is great with open space and surroundings.

We live at the top of Moorcroft and we already have an issue with traffic on the street. We worry a lot that if we needed a fire engine or an ambulance that they would not be able to get up to us. Residents from further down need to park up near us as there is already not enough room. So adding this facility would increase the traffic considerably as we are not on a bus route so cars would be required. Adding to this the extra cars on milking lane with the school and the increased cars when the new houses are built would make the area even more dangerous than it is now.

We have 2 children, our 13 year old gets off the bus from school (outside oakenhurst because as mentioned we are not on a bus route) then has to walk all the way up and will have to walk past this property, can I be assured that my child will be safe when walking past? On the application it mentions police which is a red flag to me. We also have a 6 year old who goes to the local school, we obviously walk but that comes with danger due to the traffic so would be the same on our small street as people would park on the pavement as the road isn't wide enough to double park meaning we would need to walk on the road with her.

There are a lot of children and elderly residents on Moorcroft both I am sure will be disturbed by the increased noise that will come from the new property with the greater activity than that of a family home (which residents thought it was originally planned to be).

The house has no back garden due to the extension so where are the families supposed to go? We have lost any green space, there are no parks, no shops unless you want a decent walk, no bus route for them to go anywhere. So unfortunately Moorcroft is not the right area for this type of proposal.

On a last note it says on all our house deeds that we are only allowed to make improvements to our houses for residential purposes which number 5 will not be.

Objection – S & W Fielding, 10 Moorcroft, Lower Darwen. Received: 15/08/2022.

We along with other residents registered our objections to the initial planning application (10/21/1200). We had a meeting with Nick Blackledge on the 31/11/2021 to discuss aspects of the planning application and the extent of the proposed building alterations.

At the meeting Mr Blackledge clarified the plans and the extent of the work. However, we were still concerned about the extensive alterations and the increased footprint of the house after the alterations which rendered the house out of kilter with all the other houses in the area.

The housing on the cul-de sac of Moorcroft and in all the surrounding developments in the area of Milking Lane, of which there have been many and indeed more planned around the Millbank Road area have always been essentially for **3 /4 bedroom residential housing**.

I quote from my original objection to planning permission date 15 /11/2021

I question the need for such extensive alterations generating numerous extra rooms and bathrooms is this property purely for residential use or is it planned to become an investment property for example a house of multiple occupancy.

When these comments were raised Mr Blackledge assured us that the planning application was only for residential purposes and this house was for family use and in fact it was the son of the owner who was going to live in the house. We were also informed that any applications for HMO's were not being granted in this area.

Other concerns regarding access parking etc lack of amenities in the area i.e., bus route, shops, doctors etc. were voiced at the time.

Subsequently despite our objections planning for the proposed building extension for 5 MOORCROFT for use as a residential property was passed.

PROPOSED CHANGE OF USE

This is a residential development and the whole of the Milking Lane area is an area of residential buildings.

The development was built in 1989 and in the original leasehold agreement it is stated and I quote

No building erected on the property shall be used otherwise than as a private house or as an outbuilding of a private house or as a garage.

So may I assume this is still in place or has it been waived and if so by who and why have we not been notified.

It is quite obvious that the plan all along was never, after the alterations, to use this house as a residential property, as the original plans have not been substantially adjusted to facilitate this change of use.

Also, the alterations are still taking place and the house has never been occupied i.e., used for residential purposes at all since planning permission was granted.

It is apparent that the original plan should have reflected the change from a family residential home to a BUSINESS as this was quite obviously the true original plan.

The company planning to operate this development i.e. GRYFFIN HOUSE has only just registered as a business and has no experience in running a venture of this size and nature.

There will be an obvious increase in traffic in the area caused by these changes i.e., visitors and staff coming and going or any required visits for assessments by health or other care professionals as required. Moorcroft has already experienced problems with access for emergency vehicles. I myself needed an ambulance and had to wait 30 mins while access was firstly gained passed the school and then into Moorcroft itself could be made.

MILKING LANE in particular already has high volumes of traffic at various times because of activities at the school. MOORCROFT itself has its own parking problems and being a cul-de-sac requires free access in both directions. The turnaround at the top of the road can become congested as this is as become the overspill area for parking.

This area at the top of the road is also used to provide access at all times to the RAILWAY network vehicles for any maintenance /repairs. These repairs can sometimes be extensive requiring a number of vehicles and staff and can take a number of days .

The location of the property is not serviced by public transport and the only transport available is by car or taxi. The nearest bus route is 0.5 miles away and railway station 2 miles away. The nearest corner shops etc are 0.5 miles away, supermarket 1.5/2.0 miles away, Darwen /Blackburn town centres 2/3 miles away. Access to local parks or the countryside would only be available by car or taxi.

As the proposed operation is to be carried out on a 24/7 basis, along with the increased traffic there will be more activity and particularly noise from changeover of staff and other activities during unsocial hours which will be disruptive and abnormal for this area.

Looking at the plans, once the alterations are complete there is a dramatic reduction in outside space i.e. the garden area available for recreation/exercise use, especially with the proposed increase in people using the premises.

Presumably with the increase in personnel at the property there will be an increase in the **volume of waste** either involving larger waste receptacles (with no area for storage on the plans) or more frequent collection adding to further traffic and noise concerns.

The young mothers in this residential care facility will be completely isolated having no easy contact with the local amenities or community as everything is some considerable distance from the home and the only access is via car/taxi.

If this type of home is required, would it not be better to build a purpose built facility that is fit for purpose, run by the council, rather than a converted residential dwelling operating as a BUSINESS.

I hope you take these points into consideration when making your decision concerning change of use application and we will be pleased to attend any planning meeting etc to clarify these points.

2nd Objection – S Fielding, 10 Moorcroft, Lower Darwen. Received: 08/11/2022.

Thank you for your recent letter detailing the amendment to the change in the planning application for 5 Moorcroft Lower Darwen.

In essence changing the initial plan to house 5 families to now accommodate 4 families.

Firstly, it is amazing this change has arisen at such a late stage. It suggests that not enough detailed consideration was given to the original change of use application.

Especially when the original plan was just to extend the house for residential use.

However, this recent amendment in the Planning Application does not alter the basis of our objection detailed in the letter to you for consideration on the 17 /08/2022. Therefore, I reattach my objection to be considered along with these comments

Could you please acknowledge receipt of this objection

Objection – Lucie Higham, 57 Milking Lane, Lower Darwen. Received: 15/08/2022.

I am writing to object to the planning application REF 10/22/0739 – Change of use from a dwelling to a residential institution, 5 Moorcroft. I feel it will have an adverse effect on my home for a number of reasons:

The current house is in a small cul-de-sac with a very small driveway and with the number of families and staff due to live or work there, there is clearly a lack of adequate and safe parking and I am concerned from a highway safety and increased traffic point of view. There is a limited bus service to the village of Lower Darwen so it is highly likely they will be travelling by car or taxi. There are lots of young families in the street and neighbouring streets so I am concerned from a highway safety point of view about such an increase in traffic in a small cul de sac, especially as we already have a high level of traffic and safety concerns due to the school on Milking Lane.

The change of use is only possible due to the large extension which is being built at the property which is wholly unsuitable and not within keeping of the neighbouring area. It is quite large and unsightly, taking up most of the back garden space. It clearly represents an overdevelopment of the site. If the site was appropriate, it would not need to be doubled in size.

I am surprised that we were not notified about the plans to build the extension as I would have objected. It is a huge extension which doubles the size of the house and takes up most of the back garden, clearly not in line with the look, feel and design of new build houses. I feel that my privacy will be affected detrimentally as the residents will overlook my property and be able to see directly into my bedroom and back garden as they will be in a much closer proximity.

The application says there is no loss of non-residential floor space but the extension is taking up the majority of the garden. New build houses like the ones in this area are traditionally not very big inside so it is impossible to see how that many people can live inside.

On a separate note, I think this proposal should be looked at from the children's services/safeguarding point of view. To cram so many families into such a small property is clearly not appropriate. Also leaving them with little or no garden space is clearly also inappropriate and would be detrimental to them. There is major lack of outdoor space locally and a lack of amenities for families in Lower Darwen already, something we have already complained to local Cllrs about on many occasions. We have a local park that is not adopted, is badly run down and unsafe, no green space for children to play and a busy main road with a school. Many of the current residents are fortunate to have a cars and are able to travel to local parks or green spaces. The application says these families will not have access to cars and with the lack of local buses, what do you expect them to do locally with hardly any amenities for them and their young families?

2nd Objection – Lucie Higham, 57 Milking Lane, Lower Darwen. Received: 01/11/2022.

Dear Nick Blackledge,

I am writing to object to the planning application REF 10/22/0739 – Change of use from a dwelling to a residential institution, 5 Moorcroft (Amendment). I feel it will have an adverse effect on my home for a number of reasons:

The current house is in a small cul-de-sac with a very small driveway and with the number of families and staff due to live or work there, there is clearly a lack of adequate and safe parking and I am concerned from a highway safety and increased traffic point of view. There is a limited bus service to the village of Lower Darwen so it is highly likely they will be travelling by car or taxi. There are lots of young families in the street and neighbouring streets so I am concerned from a highway safety point of view about such an increase in traffic in a small cul de sac, especially as we already have a high level of traffic and safety concerns due to the school on Milking Lane.

The change of use is only possible due to the large extension which is being built at the property which is wholly unsuitable and not within keeping of the neighbouring area. It is quite large and unsightly, taking up most of the back garden space. It clearly represents an overdevelopment of the site. If the site was appropriate, it would not need to be doubled in size.

I am surprised that we were not notified about the plans to build the extension as I would have objected. It is a huge extension which doubles the size of the house and takes up most of the back garden, clearly not in line with the look, feel and design of new build houses. I feel that my privacy will be affected detrimentally as the residents will overlook my property and be able to see directly into my bedroom and back garden as they will be in a much closer proximity.

The application says there is no loss of non-residential floor space but the extension is taking up the majority of the garden. New build houses like the ones in this area are traditionally not very big inside so it is impossible to see how that many people can live inside.

On a separate note, I think this proposal should be looked at from the children's services/safeguarding point of view. To cram four families into such a small property is clearly not appropriate. Also leaving them with little or no garden space is clearly also inappropriate and would be detrimental to them. There is major lack of outdoor space locally and a lack of amenities for families in Lower Darwen already, something we have already complained to local Cllrs about on many occasions. We have a local park that is not adopted, is badly run down and unsafe, no green space for children to play and a busy main road with a school. Many of the current residents are fortunate to have a cars and are able to travel to local parks or green spaces. The application says these families will not have access to cars and with the lack of local buses, what do you expect them to do locally with hardly any amenities for them and their young families?

I would like to be kept informed of the applications.

Objection – Mr & Mrs Wright, 12 Moorcroft, Lower Darwen. Received: 15/08/2022.

We wish to object to the recent planning application to change 5 Moorcroft from (Use Class C3) a dwelling to a (Use Class C2) Residential Parenting Assessment Unit for the statutory nuisance reasons as listed below.

Traffic congestion – The previous application to extend the family home stated that there are already 4 parking spaces. However if you visit the premises you will see that this is untrue. Also, due to the increased motor vehicle usage of the proposed 'Business' this will produce a 'bottle neck' on Moorcroft as the road is a cul-de-sack with limited parking with only one area to turn around. If an emergency vehicle needed to attend an incident it would find limited access, causing delays.

Car fumes – another community issues that will arise from the increased traffic will be a reduction in air quality due to the increased presence of motor vehicles. This will produce air pollution to the existing dwellings.

Noise (extension of hours) – As stated in the application, a Residential Parenting Unit will need to operate 24 hours a day, 52 weeks a year, which will produce excessive noise pollution due to the nature of the 'Business' being sited within an enclosed residential area. The noise pollution will have a detrimental effect to the immediate area as no other dwelling operate outside of normal working hours (late hours or nights).

Waste – every family dwelling on Moorcroft uses household waste bins which are collected in accordance with a weekly rota. However a Class C2 Residential Parenting Assessment Unit would require commercial waste collections due to the number of residents and the increase waste production of the 'Business'. This will cause an additional two issues a) commercial waste lorry collections on an already crowded road b) the potential of an increase in odour due to the increased bin sizes and the nature of the waste collected.

Anti-social behaviour – due to the nature of the 'Business' there is a potential for anti-social behaviour to escalate, which could lead to local residents being abused/threatened or even being the subject of physical violence.

Lack of local amenities – Moorcroft is sited in a modern housing estate with no public transport amenities.

2nd Objection – Mr & Mrs Wright, 12 Moorcroft, Lower Darwen. Received: 11/11/2022.

Dear Mr Blackledge,

We wish to object to the recent planning application to change 5 Moorcroft from (Use Class C3) a dwelling to a (Use Class C2) Residential Parenting Assessment Unit for the statutory nuisance reasons as listed below.

Traffic congestion – The previous application to extend the family home stated that there are already 4 parking spaces. However if you visit the premises you will see that this is untrue. Also, due to the increased motor vehicle usage of the proposed 'Business' this will produce a 'bottle neck' on Moorcroft as the road is a cul-de-sack with limited parking with only one area to turn around. If an emergency vehicle needed to attend an incident it would find limited access, causing delays.

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Anti-social behaviour – due to the nature of the 'Business' there is a potential for anti-social behaviour to escalate, which could lead to local residents being abused/threatened or even being the subject of physical violence.

Lack of local amenities – Moorcroft is sited in a modern housing estate with no public transport amenities.

Please do not hesitate to contact us if you wish to discuss any of the above points or wish for further clarification.

Objection – Claire Dunne & Daniel Dunne, 6 Briarcroft, Lower Darwen. Received: 16/08/2022 & 11/11/2022.

I Mrs Claire Dunne **STRONGLY OBJECT** to the above application, my reasons for this are as follows:

The proposed design and use of the property is not appropriate for its surrounding area. The proposed property and those surrounding are design to accommodate one family not that of multiple occupancy as the application is stating.

The developer of the property also has a legal claw stating **NO** businesses can be run from any properties they have built on Moorcroft.

The proposed property is situated on a quiet cul-de sac. The change of use will have a big impact on the surrounding vicinity:

- 1) Increased noise from multiple families.
- 2) Increased traffic due to 24/7 staffing, family/friends visits, Social workers, and other professional workers and possible occupants vehicles.
- 3) The property has a driveway, however NOT sufficient for such business.
- 4) NOT have sufficient outdoor space for multiple families with children to play.
- 5) NO safe or appropriate playing areas nearby to this property.

6) NO local public transport in and around Lower Darwen area, therefore the majority of people visiting the property will be by car creating traffic on an already crowded cul-de-sac.

7) Safety issue for pedestrians - the application states there is room for 4 cars on the driveway, however this is only the case if parking in front of the other, blocking each other in and overhanging onto the pavement, which could cause safety issues for pedestrians. This will create further issues as staff/visitors will be blocking each other on the drive meaning them having to move cars around when people are leaving, creating more traffic issues and again safety issues for pedestrians.

We understand a traffic survey has been carried out, but this does not give a true representation of the amount of traffic on the Moorcroft as this was done when school was closed for summer holidays, locals are away on holiday. Lower Darwen Primary School is situated in close proximity to Moorcroft. There is heavy weekday traffic from 8am till 9.30am and again at 2.30pm till 6pm as the school runs before and after school clubs. Parents use Moorcroft both as a turning point and for parking which creates traffic congestion to the cul-de-sac, this has been addressed several times by local residents. We too on Briarcroft have knock on problems with traffic and feel this will exacerbate the traffic problems.

The owner of the property (Parent of this applicant, and council worker) was recently granted planning permission (application 10/22/0739) for an extension. We have NOT received any documentation regarding the proposed change of planning for the property in question and heard about it from our neighbours, we feel this is very underhanded. Neither have we been informed of any meetings taking place to enable us to put our concerns forward, again very underhanded.

As foster carers we feel as this would effect the children in our care as they are vulnerable and at risk and in danger of being exploited, also we presume CCTV will be needed in all areas including outside the home to monitor occupants and their child/ren, as you are aware Foster children need parental consent for any images to be taken and these said images cannot be posted onto social media platforms.

I hope our objection is acknowledged and we are kept up to date with any future developments in this property.

Objection – Mr James McNally & Mrs Janice McNally, 4 Briarcroft, Lower Darwen. Received: 16/08/2022 & 09/11/2022.

The proposed design and use of the property is not compatible with the surrounding area. The proposed property and those surrounding are design to accommodate one family not that of multiple occupancy as the application is stating. The new extension is being built 6 meters away from my adjoining fence leaving little garden space for 1 family never mind up to 5. The outdoor social space is situated at the bottom of the proposed properties garden. Having this as the only social space will have an impact on noise pollution into our garden and social space as it is situated so close and compact to our garden.

The developer of the property also has a legal claw stating **NO** businesses can be run from any properties they have built on Moorcroft.

The proposed property is situated on a quiet. The change of use will have a big impact on the amount of traffic due to 24/7 staffing, family/friends visits, and others such as social services and other multi – agency workers. The property has a driveway however not sufficient for such business. There is no local public transport in and around Lower Darwen therefore the majority of people visiting the property will be by car creating traffic on an

already crowded cul-de-sac. The application states there is room for 4 cars on the driveway, however this is only the case if parking in front of the other, blocking each other in and overhanging onto the pavement. This will create further issues as staff/visitors will be blocking each other on the drive meaning them having to move cars around when people are leaving, creating more traffic issues. This will also have an impact on noise pollution with the regular comings and going a of people using the service and those visiting.

The traffic survey that has been carried out does not give a true representation of the amount of traffic on the Moorcroft. Lower Darwen Primary school is situated in close proximity to Moorcroft. There is heavy weekday traffic from 8am till 930am and again at 230pm till 6pm as the school runs before and after school clubs. Parents use Moorcroft both as a turning point and for parking which creates traffic congestion to the cul-de-sac. Adding to this it is the summer holidays and some of the neighbours on Moorcroft have been away while the survey took place.

The property has recently granted planning permission (application 10/22/0739) for an extension. The application was submitted and approved whilst I was away on a 3 month holiday and I was unaware of this until we arrived home and opened the planning application letter, by this time the application had been granted. The new extension to the rear backs on to our property and is only 6 meters away from our boundary which feels very intrusive, overlooked and our privacy lost.

Myself and my wife are both retired so are at home all day most days during spring, summer and autumn enjoying our garden and social spaces (ie kitchen and rear lounge). Once the extension is complete this will massively affect our privacy as it is so close to our home (6 metres from our adjoining fence to new extension). Having so many different people staying, working, visiting the property adds to the number of people who will be able to overlook our private space is excessive. Such business would also require CCTV which again will infringe our privacy in our own home.

Objection – Georgina Gunn, 9 Moorcroft, Lower Darwen. Received: 16/08/2022 & 08/11/2022.

I OBJECT to the above planning applications on the grounds of:-

Limited Parking – there is already a problem with parking on Moorcroft with many of the residents parking on the main road which proves difficult for people with prams and wheelchairs or even walking to get past. This is heightened when the local school is open as many of the parents park at the bottom of the road.

I would like to note that at this time there are quite a few residents on holiday so there aren't as many cars on the close as normal, plus as I mentioned above the school is closed for the summer holidays which also has an impact on parking on the close.

Vehicle movements will also increase on the close (residents, visitors, officials, staff, deliveries, bins emptying, etc), the close has limited turning space at the top of the close and is already challenging due to the fact that existing residents have to park on the road.

The introduction of the 4 proposed parking spaces in front of the property is, in my opinion, inadequate for the number of people that will be using the facility (residents, residents visitors, staff, professional and other official persons, etc). The proposal says "it is anticipated that parents will not have a car at their disposal", there is no way of knowing this and has not been considered, it could have a major effect on parking should the parents require a parking space.

The statement that the residents will use public transport is concerning as there are limited facilities in the area and also an extremely limited bus service and the nearest towns of Darwen (6-9 minutes car drive – 2.1-2.6 miles depending on route) and Blackburn (11-13 minutes car drive – 3.3-3.9 miles depending on route) both not easy to get to unless you have a car/taxi. This will result in an increase in vehicle movements.

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Also the fact that the facility will need to have industrial type bins which may cut down the car parking spaces. The bins would not be able to be sited elsewhere as there is very limited space to the side and back to the property.

The development of the property has taken most of the garden with limited space now available for recreating purposes. With the introduction of up to 5 families, staff and visitors, etc, it is difficult to see they will all fit into the space available, and you cannot expect the families to be confined to the house at all times. This is likely to have an impact on the adjacent properties who expect a reasonable degree of peaceful enjoyment of their gardens.

If the facility is working on a 3 shift system 24/7 there will be staff changeovers at anti-social times which will no doubt result in disturbance to the people living close to No 5.

Lastly, may I point out that this application is actually for something that currently does not exist. The original planning permission was granted to extend the property for a family dwelling, however the works have begun but still have not been completed which I feel underlines the fact that it was the intention all the time to turn this into a residential institution and not a residential home.

The company concerned has only been set up since February 2021, no history of running such a facility or any other business as far as I can tell. This only gives strength to the notion that 5 Moorcroft was never intended for residential use once the current tenants were given notice last year.

I have lived on Moorcroft for 27 years and feel that this application would have a negative impact on the current residents, quite a few of whom have retired and enjoy this quiet residential location. The thought of an institution next to them is causing them a lot of stress.

Would you please notify me of any planning meetings, regarding this property, that are to be held. Please give as much notice as possible.

Objection – Daphne & Richard Hill, 2 Briarcroft, Lower Darwen. Received: 17/08/2022 & 11/11/2022.

WE DID OBJECT last year to the original planning application as we felt the new building would overlook our property but now we have been told that up to five families & ten staff could be in the building at any one time, we feel our privacy is going to be completely invaded. There is very little garden now that the extension has gone up, all the stuff that was in the garden has just been pushed towards our fence, we did think the garden would have been cleared before the builders started & a new fence put up as nothing has been done to the fence or the old shed/plants etc. for over 25 years.

If families are going to be living in the house, then we would have thought that the outside area was as much of a priority as the inside but as it looks now, we envisage that the families living there will spend a lot of time in their rooms, two of which overlook our house & garden. Also if there are five women/men plus five babies & 10 staff, we imagine that it will be quite noisy & as we are now retired we spend a lot of time in our home & garden. We see nothing in the plans about new fencing or landscaping. As we can see straight into the back rooms, we assume that the people in this new building will be able to see straight into ours.

Plus from what we can see the plans appear to have been changed from the ones that we can see. as in the kitchen area there is a window above where the kitchen sink is supposed to be fitted but the builders have built that section of the wall already & there is no opening

that has been left for a window so we assume that there is only going to be the bi-fold doors in that room but we are left thinking if one part of the plans have been changed we are wondering what else is going to be changed.

In our opinion, this was too small a house for the number of inhabitants that are proposed to be living there, it has not been stated if staff will be on the property 24/7 & there is mention of security cameras, will any of these be pointed in our direction, will there will security lights around the property all night.

The traffic situation will not affect us as we do not live on Moorcroft but if cars cannot park in Moorcroft then the overflow will start to accumulate on Milking Lane & when the school children are leaving in an afternoon there will be even more chaos than there is now.

We believe that this Change of Use for the above mentioned house is not compatible with the rest of the surrounding streets & the design is not acceptable for up to five/seven parents plus five babies & up to ten staff, will smoking be allowed as they will no doubt be standing near the fence to do this as there is not a lot of outside space for prams, children's toys etc.

Is it possible for us to be notified as to when this Change of Use application will appear before the Planning Committee as we seem to only hear of these changes when everything has been passed. We were told by the owner last year that he & his family were moving back into the property so all this has come as a complete surprise to ourselves.

Objection – Peter Leach, 15 Moorcroft, Lower Darwen. Received: 17/08/2022

I STRONGLY OBJECT to the above proposed change of use, and list my objection below:

- **1.The proposal does NOT comply with the Local Plan.**The Council's Local Plan Part 2, adopted December 2015, **Chapter 4 : Policy 19-Apartment Development and Houses in Multiple Occupation**, states:

‘The Council will only **exceptionally** support the development**where all the following (4) criteria are met:**

Criteria 1.The proposal does not.....erode the amenity of neighbouring properties, the physical, social, environmental or economic character of the surrounding area

Criteria 3. The site can accommodate the necessary parking and manoeuvring in a way which preserves residential amenity and the qualities of the street scene..’

Of the 4 criteria listed, Criteria 1 and Criteria 3 listed above are not met, as detailed below.

- **2. Loss of amenity to adjoining properties/Disturbance and noise.** The close is a quiet, calm, residential area, enjoyed as such by my wife and I, and all the other residents. An influx on a 12- week basis of mothers with chaotic lifestyles, which is likely to include anti-social behaviour, noise and drugs, will have a very significant

impact, and therefore loss of amenity to us, in the enjoyment of our property. We are both retired, in our 70's, and I feel very strongly that it will lead to a deterioration in our health, safety and well-being.

- **3.The proposed development is not compatible with the area.** Moorcroft is a small residential development of 19 houses set around a narrow road in a small cul-de-sac, surrounded by similar estates, all of which are purely residential. It is not well served by local amenities - the nearest convenience store is half a mile away in Lower Darwen, down a hill, as is the nearest bus stop, from which only 3 buses a day are available. There is no community hub and other services such as doctors, post office and chemist are much further away. As a result the mothers will be very isolated and they will find it very difficult with their prams to access these services other than by car/taxi. (Once again contrary to the aims of the Local Plan)
- **4.Impact of vehicles.** The proposed development will have a very significant impact on the number of vehicles using the close and trying to turn round in the very small hammerhead at the top, namely: Changeover of staff cars - 2 or 3 times a day, :Visitors cars,:Visiting staff relating to each of the families housed,:Food deliveries,:Medicine deliveries: Taxis,:Industrial Refuse collection lorries. These will dramatically increase the vehicle impact and decrease safety. On a personal note, my grandchildren play out when they visit, and this increase will significantly add danger for them.
- **Access to railway line/electricity cables/water pipes** The Darwen/Blackburn line runs across the top of the close and access is required at all times for maintenance on the line and the culvert which runs under it, together with buried electrical cables and water pipes. This is via a piece of empty land adjoining the hammerhead, which is largely unobstructed by parked vehicles at present.
- **5.Car Parking** Moorcroft is a very narrow road with a bend in the middle, and at busy times there have been problems with larger vehicles, (and on one occasion an emergency ambulance) being unable to get up the close because of cars parked on both sides. A large increase in visiting cars as listed above would make this problem far worse. The support document proposes parking for 4 cars off-road to help ease this possible congestion. However it is difficult to see how this can be obtained in practice, as 2 of them would be blocked in, causing congestion and disruption at shift change-over. Arriving staff would also be unlikely to wait for previously parked cars to move
- **6.The proposed development is not compatible in terms of size.** The Support Statement suggests that if full there would be 7 adults residents +5 babies, together with 2 to 4 support staff, together with visiting external support staff of whom there would be many given the nature of the proposed use. It is difficult to see how they would be accommodated safely in the dwelling. Under a previous application, building work on an extension in the rear garden has already begun. This has taken up much of the garden, leaving a very small open garden area which is totally inadequate for the occupants.
- **Existing sewers.** These are only just adequate for the present residents and there have been several blockage problems over the years. An influx of the proposed number of residents and visitors will greatly worsen the problem.

- **Breach of Covenant.** All Moorcroft properties are Leasehold (999 years commencing 1989-1992). Clause 5(k) of the lease states: ‘No building erected on the Property shall be used otherwise than as a private house....’ The proposed use will breach this Covenant as it is a business.
- In the last few days I have noticed cars driving up and down the close, taking pictures and videoing our houses. Apart from the fact that driving offences are being committed, I find this very intimidating and an invasion of my privacy.

I wish to attend any planning meeting regarding this application, at which I am entitled to be present. Please advise me accordingly.

Objection – Mrs M Leach, 15 Moorcroft, Lower Darwen. Received: 17/08/2022

I wish to highlight my objections and trust you give this due attention.

My concerns are as follows:-

1. Noise and disturbance resulting from use. These are **19 residential** homes on a very small development. This is in no way compatible with the surrounding area due to its size and bulk.

As a resident who has lived here for 32 years, I moved here because it was safe, quiet and a lovely place to live. I am now in my mid 70s, to think at the latter stages of life I could be living with this stress fills me with despair. I feel my well-being is likely to be damaged by the **noise, chaotic lifestyle, antisocial behaviour,** /change over of the residents who are being assessed every 12 weeks.

2. Amenities - we **do not** have a bus service, railways, chemist, post office, library, doctors, supermarkets, green space in close proximity. Therefore vehicles / taxis will have to be used. Thus creating movement /extra traffic on Moorcroft. **Polluting the environment when we should be reducing the usage of vehicles not increasing it. Where possible public transport should be supported.**

3. Waste Management / Pollution / Health - extra bins for waste, inadequate space for storage. Different refuse collection days as it's a business more movement of traffic again on Moorcroft. 30+ year old existing sewers/ domestic drainage / pipework. Business plumbing facilities such as sinks, toilets have greater usage than that of residential plumbing system. Could cause blockage for the residents of Moorcroft.

4. Access/visibility - lack of dedicated parking putting extra pressure upon street provision in the locality and the impact upon highways safety. We have a small hammerhead at the top of the close where as residents we do try to keep clear for the purpose of bin collection, delivery vans,

maintenance workers, Emergency Services, plus extra parking for families that have visitors. **British Rail, Electricity Board and Water Board have a right of way across to waste land at the top of the close for maintenance purposes.** Our close is narrow in places and extra vehicles or visitors now have to park on the footpath. This does cause problems on occasions for pedestrians and access.

5. **Human Right Act Protocol 1 Article 1. - (Every natural or legal person is entitled to the peaceful enjoyment of his possessions).** I wish you to note that already my privacy has been invaded, even before this change of use has not been considered / granted. I have seen on regular occasions various vehicles solo occupants drive up and down this close some **using a mobile phone whilst driving** taking videos of houses and cars. **This is a criminal offence.** This is why I **strongly** object to the new application / change of use to the above named property in this residential close/area. In the lease/ deeds there is a clause in the covenants which states that these properties on Moorcroft are for residential use **only**.

Should this go to committee I wish to be informed & attend my contact details are addressed in this letter.

Objection – Pat & Jeff Kay, 7 Moorcroft, Lower Darwen. Received: 17/08/2022.

We wish to object

We wish to raise objections to this planning application.

We have lived at 7 Moorcroft for 32 years. This is a residential area of mostly owner occupied three and four bedroomed houses with a strong community spirit.

The insertion of a business next door to us is completely against the ethos of the area.

This proposed development can only be detrimental to our way of life.

The proposed building seems to be far too large compared to other properties in the area.

Parking in Moorcroft is difficult as it is and any form of business traffic can only make the situation worse. This proposal has already caused considerable upset to the current residents and should be rejected, as this is a residential area. As they have already started to build, the extension seems to be oppressingly large as we view it from our garden.

Mr Blackledge you came to visit us after the first application and assured us that number 5 would not be a home of multiple occupancy, but that seems to be happening albeit under another name.

We are in our mid to late 70's and can do without this disruption to our life. We would like a peaceful life now we are retired.

Jeff is in a wheelchair and we have our house made as to sort his needs. We do not need extra cars parking on the road as we need access at all times as if I have to park up the road because someone has parked over the driveway, he cannot manoeuvre down on the pavements because of parked cars.

A few years ago our drains were blocked. We had them sorted and were advised that the drains were too small for modern living, as they were put in along with the dropped pavements and street lights at least 10 years before the houses were built. This must be another consideration for this project to be refused.

Other concerns are that the planning of the extensions and then the change of use were carefully organised. We cannot understand the thinking behind this as it would have made sense to put in the planning of both the extensions and the change of use at the same time.

We understand that Gryffin House Ltd was registered as a business about 18 months ago and the subsequent applications have been carefully planned so that they would smoothly run through.

If this change of use is granted we feel that we and the other neighbouring properties will lose their privacy.

Moorcroft is lacking local amenities as the shops are quite a walk away as is the local bus stop.

There is no community hub, post office, doctors within a few miles of Moorcroft.

We hope that the change of use will be rejected as we enjoy our peace and safety, children can play safely. The increase in traffic and parking will affect this.

Objection – Mrs Lisa Saul-Wise, 2 Moorcroft, Lower Darwen. Received: 18/08/2022 & 10/11/2022.

I would like to object to the following planning application for change of use from a dwelling house (C3) to a residential institution (C2) at number 5 Moorcroft, Lower Darwen, BB3 0RY.

We live at the bottom of the cul-de-sac, outside my house already has parked cars from the neighbouring properties sometimes making it difficult to back off my drive. The amount of cars that already drive up Moorcroft past my house is a high number given most houses have at least 2 cars, some more and then visitors. Delivery vans, bin wagons already sometimes struggle to manoeuvre. We have on numerous occasions been asked to move our car so these larger vehicles can drive past our property.

The proposed business will certainly add to the already difficult parking conditions. 5 parents and their staff and their visitors and deliveries will certainly cause an increased level of traffic. This in turn could cause an unsafe place for our families to live. Emergency services need clear access to each property. It also makes it very unsafe for our children to play out. Living at the end house I already have concerns of how fast non residents drive around the corner and up the road.

Having a young child for whom I have a pram for as do other residents we already struggle with the amount of amount of cars parked up on the pavements already (due to no fault of their own given space is needed on the road for access for emergency services) I am sure additional cars would make this harder especially with the large amount of traffic from Lower Darwen Primary School start and finish times. There are a lot of cars from the schools parents already parking on Moorcroft.

I have concerns regarding the sort of people who will be residing there. Will there be displays of antisocial behaviour. This is currently a safe place for our children to play out. The staff finishing and starting shifts maybe at antisocial times. This could create noise pollution.

I don't think a quiet cul-de-sac is the right place for this business to be situated due to all the above reasons.

It has also been brought to my attention that the owner of number 5 Moorcroft has been driving up and down the rd videoing. This is not only an invasion of privacy but a safeguarding concern as a parent with young children playing out. This sort of behaviour would be reported to OFSTED who would be their governing body. As a nursery owner I am aware of how such behaviour is totally unacceptable.

Should this go to a committee to be discussed I would like the opportunity to attend any such meetings.

Objection – Heather Leaver, 19 Moorcroft, Lower Darwen. Received: 18/08/2022 & 10/11/2022.

I object as I have concerns regarding the design of the development being compatible with the surrounding area:

- The garden area has been reduced in size due to the property extension, access down the side of the property is just wide enough for a refuse bin so there doesn't appear to be anywhere to store waste.
- In the supporting statement it fails to mention provision for a smoking shelter due to limited outside area space.

My concern is refuse not being housed correctly and any smokers heading up the road to stand on the land adjacent to my property.

I object as I have concerns regarding the size of the property:

- The building has to have security cameras, therefore along with this comes lighting and possibly security gates. Not only is the area at the front of the property in my opinion of inadequate size for sufficient parking. In our property deeds it clearly states that no fence or wall can be added to the front of our properties.

This is a potential risk to the safety of the both service providers & users.

I object due to my concerns regarding the increase in traffic:

- In the supporting statement it mentions employees. It says employees will be local, but then refers to having the necessary qualifications. Also it refers to them being unlikely to own a vehicle and similarly the residents would be unlikely to have use of a vehicle.

Such comments cannot be categorically stated and will hopefully be given little credence in any assessment of this application.

- The nearest supermarket is more than a 2 mile round trip, there's NO pharmacy again over a 2 mile round trip. We have NO local post office, NO community centre, NO childrens centre, we don't even have a local public house!
- Lower Darwen has NO bus service & NO train station.
- Blacksnape recreational area is situated 2.7 miles away from Moorcroft, The next available recreational park is 2.6 miles away, both predominantly being an uphill walk, with a pram!

Also in the supporting statement it mentions local amenities, unfortunately very few of them are relevant or would be accessible without the use of additional vehicles.

Therefore another concern is how isolated the service users of this property would be without transportation.

I object due to my concerns regarding road access and visibility:

- Moorcroft is a narrow road which curves, visibility isn't clear when driving up or down the road.
- Vehicles regularly park on the road and most are multiple vehicle households.
- At the top of Moorcroft, opposite my property there is an area which must be accessible at all times for railway workers, electricity workers and united utilities. These services arrive regularly in vehicles to carry out inspections and maintenance.
- Moorcroft is a cul-de-sac, the property in question is in close proximity to the only entrance and exit,

Therefore another of my concerns is regarding access for emergency vehicles.

With regards to levels of daylight getting into the downstairs of this property:

- Having parked my average sized vehicle under the front window of my property, I am aware that this blocks out natural light, if 4 cars as suggested in the application were parked at the front of the property there would undoubtedly be inadequate daylight to the downstairs rooms.
- In comparison to my garden area, the extension appears to go a long way back. Looking at the amount of windows and considering privacy via a hedge or fence between this and the properties at the rear, there will most certainly be insufficient light to the downstairs rooms at the rear of the property.

In conclusion

We bought our house 15 years ago and chose to live here because we already knew families who live on Moorcroft. At the time they considered it to be a safe and caring community and it truly is. The only residents I don't know on Moorcroft are the family who own number 5, I've never seen them. As long as we have been here they've rented their property out to other families who have enhanced life on Moorcroft.

As much as I would be happy to support families during their temporary period of assessment, I myself have worked in many childcare sectors over the last 35 years, so understand how important these units are. Unfortunately I have concerns that

the size and design of the property for both the inside and outside areas just isn't suitable. And concerns regarding additional traffic & lack of suitable amenities for the service users that are within easy reach.

Therefore I urge the planning committee to refuse the application (number 10/22/0739) for change of use from a residential property to a C2 at 5 Moorcroft, BB3 0RY.

Objection – Mr David Robinson, 25 Moorcroft, Lower Darwen. Received: 19/08/2022.

1. Moorcroft is a small residential cul-de-sac, there is already a significant issue with double parking at present, I believe that this issue will be further exacerbated if this application is successful. Lower Darwen is severely lacking in public transport facilities therefore anyone attending the proposed residential institution (either as a staff member, resident or visitor) would be likely to require some form of transport. The application indicates that the institution could house up to 12 residents and employ 10 members of staff. The 4 parking spaces indicated in the plans would not be sufficient. The emergency services have struggled in the past to get their vehicles down the cul-de-sac, I believe that this proposed institution would make this even worse.

In the supporting documents for the application, the applicant states in the Local Community section that 'We further seek to integrate the service into the local community with events such as coffee mornings or drop-in activities'. The applicant's plan to host community events would again lead parking problems and increase the traffic to the area.

2. Moorcroft is a residential cul-de-sac, when we purchased our property we did so in the belief that this would remain a residential area and that the clause in all of the deeds would prevent the properties being used as businesses. I believe that all children deserve the best start in life and that residential institutions of this nature can help many families who need extra support. However I also think that the standard of these institutions has to be high and meet the needs of the families, 5 Moorcroft even with its extension will provide limited space for 12 residents and 10 members of staff and will offer very little outdoor space to the families. Lower Darwen already has a Residential Institution of this nature which is situated on a suitable site with large garden areas and has the necessary transport links and space that are required, surely there is no social need for another in such close proximity.
