

Proposed development: Full Planning Application: Proposed change of use of lower ground floor from vacant mill to a Live Music Venue (Sui Generis use) and removal of a section of link building.

**Site address:
Darwen Windows Ltd
Borough Road
Darwen
BB3 1PL**

Applicant: Mr Mizon

Ward: Darwen West

**Councillor Dave Smith
Councillor Brian Taylor
Councillor Stephanie Brookfield**



1.0 SUMMARY OF RECOMMENDATION

- 1.1 APPROVE – Subject to a temporary 12 month period, commencing from the date of first operational use, and other conditions set out at paragraph 4.1.**

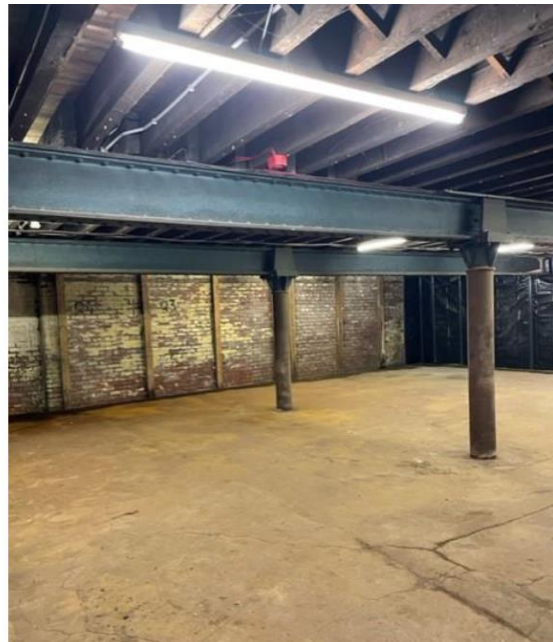
2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 This full planning application is reported to Committee due to the receipt of a significant number of objections from local residents (see Section 9) and following referral to the Chair who confirmed that the application should be determined at Committee level. This is in accordance with the adopted Scheme of Delegation.
- 2.2 This recommendation follows detailed assessment of the application, in consultation with neighbours, Ward Councillors and specialist consultees. Uncertainty around noise impacts on the locality, particularly towards noise sensitive residential uses, informs the recommendation of a 12 month temporary permission, in order to allow proactive monitoring of use. Other noise mitigation conditions requiring sound proofing of the building and noise exceedance limitations at the boundary of residential properties further support the recommendation for a temporary period. At the end of the 12 months, the use would cease, until and unless a new grant of planning permission. Evidence obtained over the preceding 12 month period would help inform a subsequent recommendation to Committee. The proposal is, therefore, found to be in accordance with the Development Plan and The Framework, with all issues having been addressed through the application, or capable of being controlled or mitigated through application of planning conditions.
- 2.3 Members are advised that, although the application does not explicitly propose a temporary permission, one is agreed, in principle, with the applicant.

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1 The application site (the site) comprises the basement of a vacant red brick mill, last occupied by Darwen Windows, located and accessed to the south east of Borough Road, Darwen.
- 3.1.2 The mill was constructed in circa 1901 as an industrial bakery and was later sub-divided into separate units, which have been occupied by a range of commercial uses.
- 3.1.3 The following images show the building, its location and the internal host space (Planning, Design and Access Statement, Antonio Caparelli).



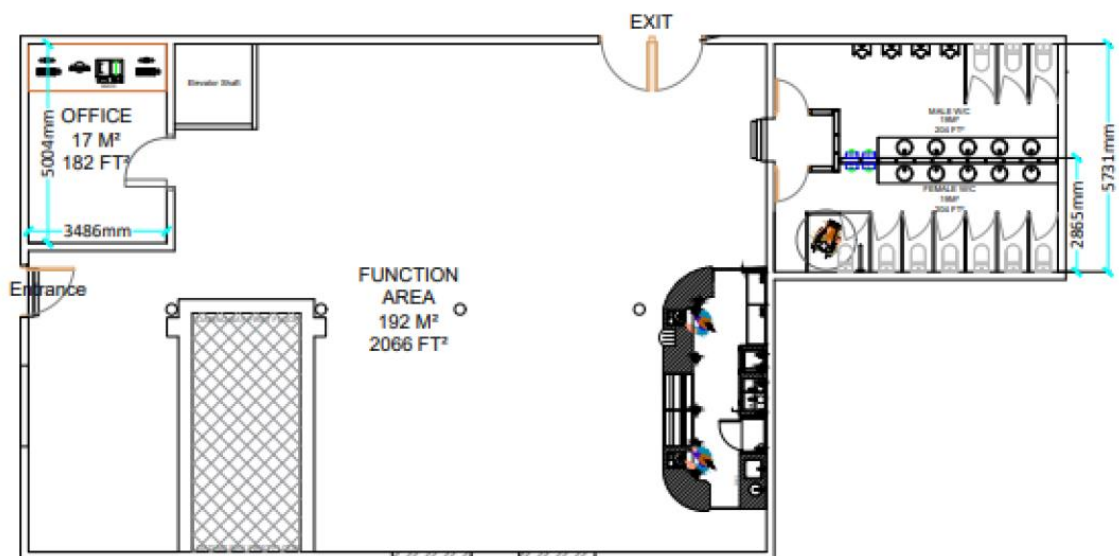
3.1.4 The site is located within the Darwen Town Centre Conservation Area (CA), on the fringe of the Town Centre, just outside of its boundary, so defined by the Adopted Polices Map for Darwen.

3.1.5 The locality is generally defined as mixed, with a range of commercial and service uses in immediate proximity to the site, to the north, south and east. The area transitions away from a typical town centre / edge of centre mix to residential uses to the west.

3.2 Proposed Development

3.2.1 Full planning permission is sought for the change of use of lower ground floor from a vacant mill (Use Class B2 – general industrial) to a Live Music Venue (Sui Generis use). Full details are set out in the submitted drawings and supporting statement.

3.2.2 The venue would be accessed from Borough Road. It would include a bar area, customer toilets, staff / admin / first-aid room and a performance / DJ stage. The function area / main customer floor would be circa 192sqm. The venue would be accessed from Borough Road. It will provide a space for artists and DJs to perform. The Applicant seeks operating hours of; Sunday to Thursday 18:30 - 23:30 and Friday to Saturday 18:30 - 04:00. The proposed floor plan is shown below.



Planning, Design and Access Statement, Antonio Caparelli)

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

- CS1 – A Targeted Growth Strategy
- CS3 – Land for Employment Development
- CS4 – Protection and Reuse of Employment Sites
- CS22 – Accessibility Strategy

3.3.4 Local Plan Part 2 (LLP2)

- Policy 2 – The Inner Urban Boundary
- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 9 – Development and the Environment
- Policy 10 – Accessibility and Transport

3.4 **Other Material Planning Considerations**

3.4.1 Residential Design Guide Supplementary Planning Document (2015)

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

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

- Section 6: Building a strong and competitive economy
- Section 7: Ensuring the vitality of town centres
- Section 11: Making effective use of land

3.4.3 National Planning Policy Guidance (NPPG).

3.5 **Assessment**

3.5.1 In assessing this application, the following important materials considerations are taken into account:

- Principle;
- Amenity;
- Highways; and
- Heritage / Design

3.5.2 Principle

Policy CS4 concerns itself with protection and re-use of Employment Sites. It sets out that development for alternative uses for employment sites will not be permitted unless the current use causes an unacceptable loss of amenity or it is demonstrated that the site is no longer viable for employment purposes.

3.5.3 It is accepted that the application building benefits from an established / lawful B2 (general industrial) use. It is submitted that the building has been vacant

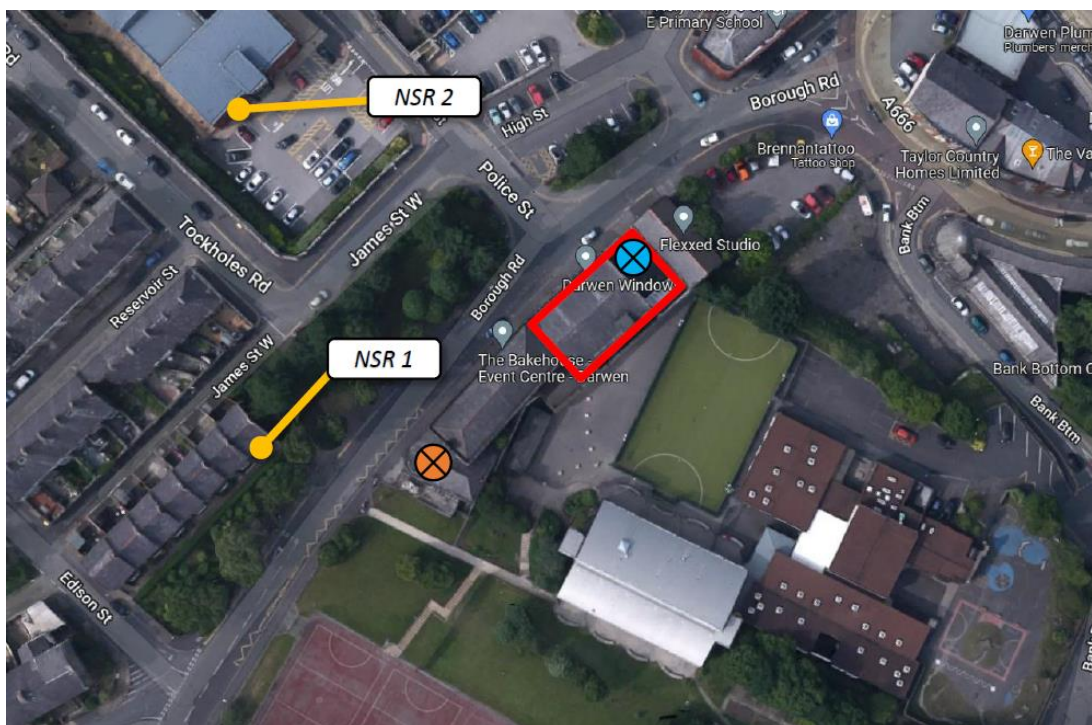
for some time. This is corroborated, to some extent, by the Council's Business Rates records, which confirm the building to have remained vacant since 2019. It is further submitted that the building has failed to attract market interest for an industrial use.

- 3.5.4 The building, although a mill, holds a position on the fringe of the town centre that fails to sustain its industrial use, given its relatively poor accessibility arising from the constrained nature of the town centre road network and residential street pattern to the north. Considered in this context, the site has limited viability for a typical employment / industrial use. Industrial uses in need of floor space comparable in size to the application building are generally preferred in more accessible locations, such as those in convenient reach of the motorway network.
- 3.5.5 Although not a typical employment use, which are generally considered to be those falling within industrial Use Classes B1 (now revoked and superseded by Class E), B2 or B8, the proposal is a leisure enterprise which would provide jobs for up to 16 people (8 full-time and 8 part-time), according to the submitted details.
- 3.5.6 The economic benefits arising, in support of Darwen's night-time economy, also weigh in favour of the proposal.
- 3.5.7 Accordingly, it is considered that, on balance, the proposal can be supported, in principle, in accordance with policies CS1, CS4 of the Development Plan and The Framework's economic objectives of sustaining viable town centres.
- 3.5.8 Amenity
Policy 8 requires a satisfactory level of amenity and safety is secured for surrounding uses and for occupants or users of the development itself; with reference to noise, vibration, odour, light, dust, other pollution or nuisance, privacy / overlooking, and the relationship between buildings.
- 3.5.9 No adverse impacts arise with reference to privacy / overlooking or relationship between buildings.
- 3.5.10 The potential for noise disturbance is recognised as an important consideration and indeed critical to the outcome of the application, due to the nature of the use, the opening hours proposed and proximity of the site to noise sensitive residential uses. Indeed significant public objection has been received citing this concern. In this context, a Noise impact Assessment (NIA) has been submitted with the application which assess noise breakout from the venue arising from the proposed hours of use – ie:
- Sunday – Thursday: 18:30 – 23:30; and
 - Friday – Saturday: 18:30 – 04:00.
- 3.5.11 Measurements of the prevailing background noise climate were undertaken from 2nd – 5th September 2022 at a location representative of the identified Noise Sensitive Receptors (NSRs).

3.5.12 The nearest or most-affected Noise Sensitive Receptors (NSRs) were identified as the residential properties southwest of the site on Borough Rd as well as the façade of 'Darwen Health Centre' facing the site. The closest habitable room windows of these properties will be considered as specific reception points in calculations.

3.5.13 Using the measured background noise survey data, a representative night-time background sound level of **31 dB LA90** was derived for the assessment.

3.5.14 The site, proposed noise source and key receptor locations are shown below:



Noise Impact Assessment, Peak Acoustics, 14/09/2022.

3.5.15 The nearest dwelling (NSR1) is located circa 43.6m from the venue, at James Street West. Darwen Health Centre (NSR2) is located circa 71.75m from the venue.

3.5.16 The NIA found that the noise levels at NSR1 and NSR2 would achieve acceptable outcomes, in accordance with the assessment criteria used. Significant mitigation to the existing ceiling / separating floor of the venue is needed to operate without significant adverse effect on the commercial premises above. It should be recognised that the commercial premises referenced are currently vacant and within the ownership / control of applicant, who committed to uses within the building than can coexist, subject to any requirements of planning permission.

3.5.17 The NIA does recognise a degree of uncertainty arising from the monitoring equipment. The recordings were, however, found to be within accepted tolerance margins. Moreover, uncertainty around noise propagation from

surrounding structures present on site was reduced to a minimum through utilisation of acoustic modelling software. Overall, it is considered that all reasonable measures have been utilised to inform a representative forecasted outcome.

3.5.18 The NIA has been peer reviewed by the Council's Public Protection consultee, who recognises the need to safeguard residential amenity from noise disturbance. Internal sound proofing to the venue has been discussed. The applicant's noise consultant has stated that the venue can likely be sound proofed to meet the desired standard in all relevant octave bands, taking account of the semi underground nature of the space. Public Protection, however, remain concerned at the degree of uncertainty around the control of noise emission and, for this reason, recommends modification of the proposed hours of use to the following, defined as daytime hours:

- Monday – Saturday: 18:30 – 23:00; and
- Sunday: 18:30 – 22:00.

3.5.19 In addition, submission of a sound proofing scheme and no exceedance of a specified level of entertainment noise at the nearest noise sensitive premises (dwellings) are recommended to be secured via condition.

3.5.20 Whilst the threat of noise disturbance from the venue is a genuine one and an understandable concern to the locale, Members are advised that application of the recommended hours of use may be unreasonable, given the nature of the use proposed, which is comparable in offer to a nightclub. As an alternative (interim) proposal, a temporary 12 month permission, subject to the proposed hours of use, is recommended to Members, in the interests of approaching decision making in a positive and creative way, as advocated by The Framework (para. 38). This approach is agreed, in principle, with the applicant. Section 72 of the Town and Country Planning Act 1990 (as amended) allows the LPA to grant planning permission for a specified temporary period. National Planning Practice Guidance explains that '*circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area*'. Proactive monitoring would afford the Council an appropriately representative position on which to base assessment of any subsequent application proposing a permanent use. A temporary use would be in conjunction with the implementation of sound proofing and noise exceedance levels, as aforementioned. It would be open to the Local Planning Authority to take enforcement action against any established breach of condition throughout the duration of the temporary use. The temporary use would begin on the date of first operational use and it would be incumbent on the applicant to inform the LPA in advance of that date.

3.5.21 As a fringe town centre use, external noise arising from the comings and goings of patrons is not considered to be significantly adverse, as they will likely migrate to the centre of town. Moreover, the identified noise sensitive uses are no closer than those within the town centre to similar uses afforded broadly night time hours of use.

3.5.22 Accordingly, on balance, and subject to the aforementioned limiting / mitigating conditions, it is found that the proposal would make an overall positive contribution to the area, and would secure a satisfactory level of amenity for surrounding uses, in accordance with the requirements of Policy 8 and The Framework.

3.5.23 Highways

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.

3.5.24 No significant highway impacts arise, due to the sustainable town centre fringe location and availability of on-street and off-street parking in the immediate vicinity of the site, notwithstanding that the nature of the proposed use is unlikely to give rise to significant parking demand, as patrons would likely arrive and depart via the town centre utilising modes of transport other than private cars.

3.5.25 For these reasons, no objection is offered by the Council's Highways consultee.

3.5.26 Accordingly, highway impacts arising from the development are found to be acceptable and in accordance with the requirements of Policy 10 and The Framework.

3.5.27 Heritage & Conservation / Design

Policy 39 requires development with the potential to affect designated or non-designated heritage assets to sustain or enhance the significance of the asset.

3.5.28 Policy 11 requires a good standard of design and will be expected to enhance and reinforce the established character of the locality and demonstrate an understanding of the wider context towards making a positive contribution to the local area

3.5.29 The proposal has been reviewed by the Council's Heritage & Conservation consultee, in consideration of the key heritage issue of whether any harm will arise to the character and / or appearance of the Darwen Town Centre CA.

3.5.30 The site contributes to the character and appearance of the CA and is noted in the CA Appraisal as being a positive character building of medium significance.

3.5.31 It is noted that alterations to the link building have already taken place, though it is unclear as to when, in the form of a small section having been removed severing the link between buildings. Nevertheless, the works have only removed a small part of a link building with modern materials that is set back away from the road, located behind a modern steel palisade fence. Such

modest alteration does not result in any discernible harm to the character and appearance of the Darwen Town Centre CA.

3.5.32 Accordingly, heritage impacts arising from the development are found to be acceptable and in accordance with the requirements of Policy 39 and The Framework.

3.5.33 Summary

This report assesses the full range of material issues affecting this planning application. 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, on balance, meets the policy requirements of the Blackburn with Darwen Core Strategy, Local Plan Part 2, Supplementary Planning Documents and the National Planning Policy Framework.

4.0 RECOMMENDATION

4.1 Approve subject to:

Delegated authority is given to the Strategic Director for Growth and Development to approve planning permission, subject to conditions which relate to the following matters:

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

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

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposal received (*to be added*)

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

3. The applicant or any successor in title shall notify the Local Planning Authority in writing, and in advance, of the date on which the operational use hereby approved shall first commence. The approved use shall thereafter be limited to a temporary period, ceasing no later than 12 months after the specified date of commencement.

REASON: In order that amenity impacts arising from the development can be assessed during this period, and that any future application can be decided on the basis of this assessment, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

4. No development shall take place until a sound proofing scheme to the application building, to guard against the transmission of noise and vibration,

has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a requirement for approval of performance testing. The development hereby permitted shall thereafter be implemented and operated in strict accordance with the approved details.

REASON: In order to protect the amenities of the area by ensuring that measures are implemented to prevent noise nuisance, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

5. The operational use hereby permitted shall only take place between the following hours:

- Sunday – Thursday: 18:30 – 23:30; and
- Friday - Saturday: 18:30 – 04:00.

REASON: In order to protect the amenities of the area by, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

6. The level of noise (LAFeq(1 min), free field) emitted from the site shall not exceed 2dB, 8dB and 13dB in the 63Hz, 125Hz and 250Hz octave bands respectively at the boundary of any residential property.

REASON: In order to protect residential amenity by ensuring that measures are implemented to prevent noise nuisance, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

7. Should contamination be encountered unexpectedly during redevelopment, all works should cease, and the LPA should be immediately informed in writing. If unacceptable risks are identified, a remedial options appraisal and detailed remediation scheme should be presented, and agreed in writing by the LPA. No deviation shall be made from this scheme without the written express agreement of the LPA.

REASON: To protect the health of future occupiers of the site, in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

5.0 PLANNING HISTORY

5.1 There is no relevant planning history for the site.

6.0 CONSULTATIONS

6.1 Public Protection

No objection subject to:

With reference to the above application, I recommend that the following condition(s), informative(s) and/or comment(s) be included if planning permission is granted:

Comment: Noise Amenity

This live entertainment venue proposal presents some serious concerns in respect of its impact upon surrounding land users that may be affected by excessive noise disturbance. There is uncertainty regarding the noise level of the proposed entertainment and associated customer noise (eg street noise) – particularly at night. I recommend limiting the proposed use to daytime only due to this uncertainty. Noise management at the venue will also be important; the restricted use will enable any noise complaints to be investigated and enforcement of planning conditions as appropriate. This would inform the assessment of any proposed extended hours of use into the night-time period.

Condition – Entertainment Noise Control

Entertainment noise (LAFeq(1 min), free field) arising from the application site shall not exceed 2dB, 8dB and 13dB in the 63Hz, 125Hz and 250Hz octave bands respectively at the boundary of any noise sensitive premises.

Reason: To prevent loss of noise amenity at noise sensitive premises.

Condition – Sound Proofing and Validation

A sound proofing scheme shall be submitted to the Local Planning Authority (LPA) in writing and implemented at the application premises. The sound proofed premises shall be performance tested and approved, in writing, by the LPA prior to commencement of the approved use. All sound proofing measures shall be retained for the duration of this use.

Reason: To prevent loss of noise amenity at noise sensitive premises.

Informative: The developer should have regard to BS 8233: 'Sound Insulation & noise reduction for buildings – Code of Practice', in order to minimise the transmission of noise from the premises.

Condition – Hours of Use Restriction

The approved use shall be restricted to the following times:

Monday to Saturday: 18:30 – 23:00 hours

Sundays: 18:30 – 22:00 hours

Any variation of the above hours restriction must be approved in writing by the Planning Authority.

Reason

To ensure appropriate hours of use to minimise noise disturbance at noise sensitive premises.

Condition – Air Quality, as appropriate (Small Commercial Development)

Prior to commencement of the development hereby approved, a scheme for the provision of charging points for low emissions vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to commencement of the proposed use and retained thereafter.

Reason: In accordance with Policy 36 of the Blackburn with Darwen Borough Local Plan Part 2 and Paragraph 110 of the National Planning Policy Framework 2019, which states that developments should be designed to enable charging plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. This condition implements the requirements of Council's Air Quality PAN and the Principles of Good Practice in the EPUK & IAQM guidance Planning for Air Quality. These are readily achievable mitigation measures that reflect current good practice and help to reduce the cumulative impact of current and future developments.

Floodlighting

Should the proposed development include outdoor lighting I would recommend the following condition:

Condition – Floodlighting (as appropriate)

An outdoor floodlighting scheme shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The floodlights shall be installed in accordance with the agreed scheme and retained for the duration of the approved use.

Reason

To minimise potential loss of amenity due to intrusive light pollution affecting residents.

Informative:

When assessing potential loss of amenity the Local Authority shall make reference to the lighting levels provided in 'Guidance Notes for the Reduction of Obtrusive Light' GN01 produced by The Institution of Lighting Professionals, available at: <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2020/>

NB: The proposed development is within an E3: Medium district brightness area.

Condition - Unforeseen Contamination

Should contamination be encountered unexpectedly during redevelopment, all works should cease, and the Local Planning Authority (LPA) should be immediately informed in writing. If unacceptable risks are identified, a remedial options appraisal and detailed remediation scheme should be presented, and agreed in writing by the LPA. No deviation shall be made from this scheme without the written express agreement of the LPA.

REASON: To protect the health of future occupiers of the site in accordance with Policy ENV3 of the Blackburn with Darwen Borough Local Plan.

INFORMATIVE:

- All reports shall be prepared in accordance with BS10175:2011 (as amended), CLR 11 and any other relevant, appropriate and authoritative publications.
- The Local Planning Authority will not accept any liability for remediation works.
- The responsibility for the safe development and occupancy of the site, at all times, rests with the developer.
- Failure to comply with above condition may result in enforcement action being taken by the Local Authority under the Environmental Protection Act 1990.
- You are strongly advised to contact the Environmental Protection Team of the Public Protection Service to discuss the requirements of the Contaminated Land Condition (Karen Huddart tel: 01254 267632 or David Johnson tel: 01254 267631).
- The guidance documents entitled '**Contaminated Land Planning Guidance**' & '**Validation Policy Document**' should be read before you investigate the site. This guidance is available on the Council web site. These hyperlinks will give you direct access :
www.blackburn.gov.uk/upload/pdf/Contaminated_Land_Guidance.pdf
www.blackburn.gov.uk/upload/pdf/Validation_Policy_Document_FINAL.pdf
- A **suitably qualified, competent & impartial person** shall fulfil the requirements of the condition.

6.2 Heritage & Conservation

No objection.

I have reviewed the supporting documents for the planning application, which includes the existing and proposed plans and elevations and a Planning & Design and Access Statement, prepared by Antonio Caparelli (BA Hons MRTPI), dated July 2022. I visited the site on 23 August to complete external observations.

The key heritage issues for the LPA to consider under the planning application is:

1. Whether the proposed development will harm the character and/or appearance of the Darwen Town Centre Conservation Area.

The Proposal

The proposal seeks consent for the change of use and conversion of the premises within the lower ground floor to a Live Music Venue (Sui-generis). The scheme will include a bar area, customer toilets, staff/admin/first aid room and a performance/DJ stage. The venue would be accessed from Borough Road.

Externally, the proposed alterations are minimal, which includes the removal of a small section of the brick and uPVC link corridor/building to the adjacent building; and a change to the rear exit door (details not provided).

Impact of the proposal on the Conservation Area

The issues to consider from a heritage perspective is whether the proposal will harm the character and appearance of the Darwen Town Centre Conservation Area.

The Darwen Town Centre Conservation Area was designated in 1996 and extended in May 2005. The special interest of the CA is characterised by stone terraced housing, Gritstone buildings and its distinctive Victorian architectural heritage, brought about by the development of the textile industry in the late 18th and 19th centuries that saw the rapid expansion of the town.

The site is located in the Commercial Area of the CA, which is the commercial heart of the town and focused on the circus where five roads meet. The area is dominated by late nineteenth century Victorian and Edwardian buildings mostly banks and public houses. The buildings have a mixed palette of materials some red brick with stone dressings, but most buildings are built in a grit stone. The CA has a moderate significance.

The proposal site contributes to the character and appearance of the CA and is noted in the CA Appraisal as being a positive character building of medium significance.

In regards to the impact to the CA, I note that the proposed alterations to the link building demonstrated on the proposed plans and elevations have already taken place. A small section of the link has been removed severing the link between buildings. Nevertheless, the works have only removed a small part of a link building with modern materials that is set back away from the road, located behind a modern steel palisade fence and does not amount to any additional harm.

Furthermore, the alterations relating to the rear exit door on the rear elevation are located at the back of the building with no view from any public vantage point. I note that the rear elevations located within a CA are of lesser importance, and as they are likely to be minor alterations that cannot be viewed from a public vantage point, will cause no harm to the character or appearance of the CA.

To conclude the proposed alterations that affect the exterior of the property are minor, and will not result in any discernible harm to the character and appearance of the Darwen Town Centre Conservation Area.

Conclusion / recommendation

As I am required to do so, I have given the duty's imposed by s.72(1) of the P(LBCA) Act 1990 considerable weight in my comments.

I consider the proposal would meet the statutory test 'to preserve' and would cause no discernible harm to the character or appearance of the Darwen Town Centre Conservation Area.

Therefore, no balancing exercise is required as per NPPF P.202. As such, the proposal meets the objectives of Chapter 16 of the NPPF and accord with the policies of the Local Plan dealing with heritage (Policy 39 of the Blackburn with Darwen Local Plan and Policy CS17 of the Core Strategy).

6.3 Environmental Services

No objection.

6.4 Lancashire Fire & Rescue

No objection, standard advice.

6.5 Public Consultation

18 letters were posted to the local community on 5th August 2022. Site notices were also displayed. In response, 19 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 Brian Taylor. Received: 08/08/2022.

I am concerned about the noise potential and disturbance for the residents of 15-27 Borough Rd. Could this be considered in the Planning Application

Objection – Michelle Bedworth, Reservoir Street, Darwen. Received: 09/08/2022.

In reference to the above proposed planning application at Darwen Windows Ltd, Borough Road, Darwen, BB3 1PL I would have to say absolutely not!!

As we already have Spitfire, Level and the Vault close by this is ridiculous. It is loud and disruptive enough at a weekend or event as it is.

For example, this past weekend, 5/6th August 2022 music was still blasting out from one of the above venues at 4am! As is quite regular now. One of these venues then proceeded to empty their bottle bins at 5.40am on Sunday the 7th.

Do you think this is acceptable and would you like to live close to that and then add yet another loud venue so close.

I suggest you look into somewhere on the other side of town as this is unacceptable. Plus as a small town we already have numerous pubs, venues, restaurants and takeaways. Perhaps use one of those as there is also Sunbird within shouting distance also.

Objection – Mr & Mrs Shaw, 1 Punstock Road, Darwen. Received: 16/08/2022.

Please accept this letter in objection to the application for conversion of premises from vacant mill to Live Music Venue.

We object to the above application for the following reasons:

1. Noise pollution.

The Applicant seeks operating hours from Sunday-Thursday 18.30- 23.30 and Fridays and Saturdays 18.30-04.00am. As this is a live music venue with many houses in very close proximity the noise disturbance would be frequent, during unsocial hours when residents are trying to sleep and would significantly impact living conditions. Noise disturbance from town centre venues is already affecting the peace of our residential area, these venues are at much greater distance from our home, and this makes is very clear how much noise we would experience from this venue which is around 100 metres from our front door. As the venue is looking at live music and DJ's again, through experience, we have noted that this is the kind of music that travels and causes the most disruption.

2. Residential area.

The venue is outside of the town centre boundaries therefore in a residential area. The planning documents states 'that other residential properties in much closer proximity to late

night venues such as the flats above the former Lloyds bank, directly adjacent the Level One Night Club and The Bridgewater.’ However, we did not choose to live in a house in the town centre, we bought a family home in a residential area and as such do not want a live music venue metres from our door. As stated in the National Planning Policy Framework (NPPF) ‘Ensuring the vitality of Town Centres is a crucial part of the NPPF. At Para 86, the NPPF states that main town centre uses (including leisure and restaurants) **should be located in town centres.**’ The proposed site is outside of the town centre boundaries. There are several vacant properties within the town centre.

3. Traffic

The nature of a music venue means taxis would be coming and going throughout the evening/night and early hours of the morning. This would create traffic noise and people congregating, chatting, shouting etc and possibly lead to anti-social behaviour with people waiting on the street, directly opposite houses for their taxi. The taxis would use the road (Edisford Street) directly by our house (bottom of Punstock Road) to turn around. This road is already frequently used by cars to turn around. When picking up or dropping off at this venue there is no other way to get back to the town centre without driving all the way around borough road or turning directly next to my house. As such, it is extremely likely that comings and goings to and from the venue will extend upwards towards Bold Venture Park as cars will need to turn around.

This not only causes noise disturbance and safety problems but has resulted in damage to cars.

4. Parking

Since the building of the nearby Health Centre and the changing of the entrance to the Leisure Centre parking is already an issue on our previously quiet road. Extra traffic and parking creates unsafe roads for both pedestrians and other road users, increased traffic pollution and makes it difficult for residents to park near their homes. In addition, as the venue is for DJ’s, musicians, bands etc vans would need to park to unload large equipment etc. This would need to be done prior to the opening of the venue. The venue is very close to Holy Trinity Primary school and any additional cars, vans around the entrance to the school (one of which is located on Brough yard) in very close proximity to the mill, would create safety issues for the families of Holy Trinity. The hours of the proposed venue will add further parking problems already in place with people who use the Leisure Centre, which is also frequented in the evening and at the weekend.

In one of the supporting documents the applicant states, ‘there is no direct vehicular access’ to the premises, therefore all traffic, drops offs, pick ups and loading and unloading of vehicles will take place on an already busy part of the road which is used by people visiting the Health Centre, Leisure Centre (entry road to both opposite the proposed venue) and Holy Trinity Primary School as well as all the residents of the Bold Venture Park area.

5. Anti-social behaviour

Noise, fighting, littering etc all clearly linked to social venues would take place in very close proximity to my home, car, garden. In addition, any littering, broken glass etc would be on the pavement children have to walk on to get to the school gate.

6. Similar venues already in place.

The planning states that 'It will provide a space for artists and DJs to perform within a 'former mill' complex which will be unique in Darwen' however it also states that 'the Applicant has taken inspiration from the nearby 'The Vault' venue located at 8 Borough Road, Darwen.' This is a very similar place, also in a basement and also offers live music. Sunbird Records (which also has had a negative impact on our quality of living due to noise pollution), also offers a space for artists and DJs to perform making the proposed venue similar to other nearby venues rather than unique. There are also empty properties within the town centre.

7. Setting a precedent.

The proposed venue is outside of the town centre boundaries. If this planning is accepted, then a precedent is set for either this venue to expand or similar venues to be acceptable in a residential area.

In addition, the application reveals that the applicant has taken inspiration from 'The Warehouse Project in Manchester' which is renowned for its club nights and rave culture – this is totally inappropriate in a residential area with many houses and a primary school in very close proximity.

In summary we strongly believe that if this proposed planning document is accepted our quality of lives will be significantly impacted.

Objection – Mr & Mrs Mclean, 23 Borough Road, Darwen. Received: 16/08/2022.

I would like to put in an objection for the proposal of the application for the music venue on Borough Road Darwen for the following reasons:

1. This is a residential area, not town centre and people live in this area with families whom this will affect all hours of the day.
2. We live roughly 50 metres from the proposed building and have huge concerns about the noise pollution from both inside the venue and the customers coming and going at all hours, we already have noise pollution coming up from the town centre from the nightclubs and pubs already open and roughly 400 metres away in the town centre.
3. It's going to generate more traffic coming up and down Borough Road again causing more noise pollution and also a safety issue especially with being so close to the school, health centre and leisure centre which already is an issue with parking for all residents in the area.
4. It will generate noise pollution from people standing outside on entry and exit of the building, customers going out for cigarettes and e cigs and fresh air, people intoxicated arguing and customers waiting for taxis.

5. It will also bring un-desirables to the area and with having steps at the front and gardens to the rear and a back alley with being residential will attract unsociable habits to take place.

6. We feel that the market for music venues is already saturated within the town centre of Darwen ie Blues bar shut down and Suki's night club shut down, and Artisan, Essence restaurant and The Bank bar up for sale and they are all struggling to get customers in and staff to fill the job roles.

Objection – Mr & Mrs Procter, 21 Borough Road, Darwen. Received: 17/08/2022.

Please accept this letter in objection to the application for conversion of the vacant mill premises located at the lower ground floor of the former 'Old Co-Op Bakery' mill, Borough Road, Darwen to a Live Music Venue.

We object for the following reasons:

- Objections to the use of the former mill site conversion as venues of this nature are already available within 100m.
- The proposed development could take place in any number of other vacant town centre properties that lie within the Town Centre sector. The consumer choice in Darwen is already available at venues like Level One Live, The Vault and Sunbird Records
- The application building is located within the Urban Boundary with the Town Centre Boundary running along the front of the site therefore classifying the location within a residential area. Our property being less than 70m from the venue.
- In nearby proximity to the site are Darwen Health Centre, Darwen Leisure Centre, Level One Live, Holy Trinity Primary School and many residential properties. When we chose our property we did so with the location in mind. We did not foresee a proposal of a Live Music Venue across the road.
- Its stated in the proposal that the nearest residential property is some 77m away from the venue however the building is much closer, some 30m between properties.
- Objections are sought for the conversion of the former mill and the development of its premises. There are no plans in place for a proposed smoking area. So are customers to undertake this on the street. This will cause an increase in social gathering outside of our property, an increase in noise and general disturbance that merriment can bring.

- The application seeks trading hours that operate throughout the week this in turn will lead to problems within our residential area on a daily basis into the early hours of the morning. A disruption our residence could well do without. We already deal with late night revellers returning from venues located further away.
- Policy CS1 - A targeted growth strategy - The development of Darwen's night time economy is already at breaking point. With many venues encountering problems in sustaining there developments.
- Policy CS11 - Facilities and services - We object to the further expansion of public services and facilities in our residential area, There are already other vacant properties within the town centre sector which can be renovated for this purpose.
- Policy 8 - Development and People -Objections against the development of the former mill site. For this proposal will mean enhanced noise, vibration, light, odour, pollution, and nuisance and will; cause a lack of privacy for us and our neighbours. The development of this live music venue would bring frequent disturbance and significantly impact our living conditions. Live music creates noise, which in turn is carried much further than other forms of music. The music from town is already loud but the proposal of a much closer venue is big concern.
- Policy 10 - Accessibility and Transport - The proposal states the Council will manage transport implications. Objections proposed an increase of footfall and vehicles especially into the early hours. The nature of a music venue obviously means an increase in traffic/transport. Taxis being the main mode of transport are a great concern with vehicles coming and going throughout the evening/night and early hours of the morning, creating excess traffic noise. People congregating, chatting and being merry can easily escalate into antisocial behaviour right on our doorstep. Taxis will be using Borough Rd/ Punstock Rd/ Edisford Street to turn around to head back towards town. This procedure is well carried out already for locals, not only does this cause disturbance and safety problems it has also resulted in damage to cars.
- Policy 11 - Design - We object to this proposal as we feel it make a negative contribution to our residential area and invading our privacy.
- Policy 26 - Town centre A Framework for Development - There are already venues of this nature within the Town Centre Boundary. It only

brings problems into a residential area. New commercial developments could be sought within the Town Centre Framework without encroaching on residential areas. Level One Live, The Vault and Sunbird records already offer live music within their venues. The proposal at the Old Former Bakery will be offering continuous live music throughout the week well into the early hours. As residents our family life and sleep patterns will be disrupted every night with continuous noise, vibration, light and possibly anti-social behaviour.

- NPPF - National Planning Policy Framework - The government states that there are three dimensions to sustainable development: Economic, Social and Environmental. Our Town already covers this development and framework catering for employment, shopping, leisure, education and other activities. The NPPF supports economic development however this proposed venue will only take away revenue from smaller town centre services. These establishments are already struggling to survive with many providers already at saturation point. Many small businesses are unable to maintain staff for their premises with town centre venues having to close due to lack of footfall. So we object to adding another much larger venue to an already stretched hospitality sector.
- NPPF states leisure and restaurants should be located in town centres and NOT in residential areas.
- Employment is already available within Darwen as stated already many hospitality venues are struggling to maintain their staffing levels. This new proposal won't offer anything new just take away from other local services.
- The proposed venue states to be within an ideal setting within the centre of Darwen, Within a 350m radius of the site there is a well-established residential area we object to the proposals at it clearly states the venue would not be located within the defined town centre boundary. Town centres are considered the most appropriate locations; however this venue falls outside the classification. Less than 350m from your venue also is clearly a residential setting.
- Darwen already provides consumer choice with a wide variety of evening and leisure activities. There are already unique venues within the town centre sector that provide for the younger demographic. The music

venue would not be unique in style as it clearly states its taken ideas and inspiration from the recently renovated Vault.

- The proposal states to sustain economic development and create new jobs, however many Darwen hospitality establishments are already under staffed and struggling to compete with each other. How is adding another much bigger venue going to grow economic development. It is only going to enhance the closure of other smaller venues, leading to a decrease in the consumer choice and withdrawal and reduction to the night life in Darwen. This will cause more central properties to become vacant. The development should be undertaken in a more central location where properties are already available not where it causes adverse effects for nearby residents, especially those positioned within the 350m radius.

- The venue proposes to operate outside daytime core business hours which are:

Sunday - Thursday 18:30 - 23:00

Friday & Saturday 18:30 - 04:00

These suggested times of opening will have an immediate effect on "us" the residents and other local people. There will be a cross-over of users as both the Health Centre and Leisure Centre will still be in operation. The Health Centre closing at 21:00 Monday-Friday and the Leisure Centre operating until 22:00 Monday - Friday. Currently the Level One Live venue only operates on Friday and Saturdays but lies within the town centre boundary. The comings and goings of public and staff will be added to the congestion already encountered at this busy section of road and will continue well into the evening/ early morning. Our concerns being an increase in crime and vandalism and those congregations of people will bring anti-social conditions to our doorstep.

- The impact of the proposals on the residents is evident. Noise pollution from congregation of revellers, increase in the amount of traffic and anti-social behaviour, lack of privacy for our residential property both at the front in in the rear alley. The increased potential for crime. vandalism and drug misuse particularly towards the early hours of the morning.

- Since alterations to the road layout at the bottom of Borough Road and the entrances to the Leisure and Health Centres parking is already an issue on our previously quiet road. Extra traffic and parking creates

unsafe roads for both pedestrians and other road users, increased traffic pollution and makes it difficult for us the residents to park near our homes. The proposal is for live musicians, so there would be a need for DJs, musicians, bands etc to unload large equipment prior to the advertised opening hours. The venue is directly next to Holy Trinity Primary School and any additional cars, vans around the entrance to the school would create safety issues for the families attending. The proposal states there is no direct vehicular access to the premises therefore all traffic, drop offs, pickups, loading and unloading will take place on an already busy part of the road. As the entrance is situated opposite the entrance to the health centre and leisure complexes this will cause difficulties for residents heading up Borough Road towards Bold Venture.

- Noise, littering and fighting are all clearly linked to social venues with this venue being in very close proximity to my family, home, car and garden. Also this creates more vulnerability to the residents returning home.

We strongly believe that if the proposal is accepted our quality of life as a family will be significantly impacted.

Objection – Miss Hall. Received: 18/08/2022.

Please accept this email in objection to the application for conversion of premises from vacant mill to live music venue. 10/22/0758

We would like to object for the following reasons.

1. Noise pollution.

This is a quiet part of Darwen, most are retired elderly people, some are police officers, nurses, doctors and other people that do shift work and the hours that are purposed are Sunday-Thursday 18:30 till 23:30 and then Fridays to Saturday 18:30-04:00am! It is unfair to those people who work shifts also the elderly that have to listen to loud racket until early hours of the morning. That's with the passing taxis parking up and possible police presence when there is anti social behaviour with drunken people, smashing bottle, glasses, shouting, screaming. This is classed as a residential area and this venue could move into the town centre where the rest of the bars are. Why should we put up with yet another bar that will be going on until the early hours of the morning. There are people with children and newborns that live just a stones throw away from this venue. This will also attract, teenagers who will causes issues within the area that would lead up to Bold venture park which again will attract police and possible other emergency workers.

2. Residential

As stated above this is a residential area where people who work shifts and the opening and closing times of this venue will cause issues with people who work shifts! This venue is outside the town

centre and much closer to residential houses. Keep bars in the town centre and keep residential homes as a quiet peaceful place. I do not want teenagers and drunken people who will walk around the area I live and use my wall as a prop up, or something they can be sick over or cause damage to my car and property because they have come from this venue! Why should we have to put up with that! I live alone as a female and I wouldn't want to be in fear of drunken people and anti social behaviour outside my house where I don't feel safe because again they have come out of this venue, why should I have to be in fear. This is a peaceful, calm area and we never have any issues, which I believe and know this will change if this venue application goes ahead.

3. Traffic.

As everyone and anyone who lives in darwen knows the struggle when trying to park. We don't have many cars going to and from this area only people who live in the area which makes it a peaceful place to live, but if this venue goes ahead there are going to be taxis, people getting dropped of by friends, family, where are staff going to park? ... I'm guessing that staff will park on the residential streets and take away parking for people who live in the area. I'm guessing as well that extra traffic be going to Bold venture park which is where it meant to be a quiet relaxing place not being bombarded with taxis and horns sounds and drunk people. Where are all these extra cars meant to go?

5. Anti social behaviour

As stated in other points this is a nice calm peaceful area where nothing much happens which is why people bought the houses in this area. So why should we have to devalue our houses for a venue that plays music till all hours of the night. There is going to be drunk people that will cause fights and assaults and issues in the area which in turn will have police and ambulance turn out which as we know they are already stretched as it is, so why put more pressure on them? Littering on the street which definitely will not get cleaned up even if the owners say they will. Broken glass that again will not be cleared up and right next to a school where children have to walk on that pavement to get to the school. Again I do not want to feel scared in my own property when these drunk people will cause issues. I live next to an elderly vulnerable person who will find it very stressful with all the noise and anti social behaviour which is guaranteed with any venue that has alcohol and stays open for them to drink till all hours in the morning. Choose a venue that's in the town centre to keep people in the town centre not venture to the residential areas, where they will have domestics, fights, fall outs and just cause issues.

6. Other venues.

There are other live music venues already in the town centre. There are already bars, cocktails bar, restaurants and other places for leisure. Why not put your money and time in to something that Darwen needs and not be a sheep. Why put the venue in a residential area and not keep it in the centre where the other venues are where you could come together and work together as one. This is not a unique venue like i have already said there are many others just like this one and there is one just down the road called the vault.

I have read that it has taken inspiration from The Warehouse Project which is in Manchester City centre and not in a residential area with schools right next door. When is this going to stop...as if this venue goes ahead which I pray it does NOT what's to say that another live music venue pops up closure and closure to more and more houses. It needs to stop and the people need to be heard. Go and put your venue in the town centre where it belongs.

Overall

I actually have never had a letter through explains what is going on. And I live next to the school that this venue is next too...so why haven't I had an objection letter through? Sneaky comes to mind.

Thankfully we have come together and found out what is happening and we are all totally against this. I do not want this venue so close to my home where I am meant to feel safe. I do not want to feel vulnerable within my own home. I moved to Darwen 4 years ago and love how where I live is quiet and peaceful. I have a stressful job as it is and I don't want more added stress, with sometimes working nights, and what of some drunken person or people are outside my home. It's is so intimidating!

Please don't allow places like this to be inside a residential area, there are children, vulnerable people and lone females that live within this area, I get it that the owners are just wanting to make money and profit but Why are you punishing the people who you would want to help your business grow? The applicant should consider placing their venue within the town centre where we can support it away from our homes.

Objection – Harry Foster, 15 Borough Road, Darwen. Received: 19/08/2022.

Planning application 10/22/0758

Dear planning office (Nick Blackledge)

I would like to put my written objection against the proposal of music venue on Borough Road, Darwen for the following reasons:

- This is a Residential area not Town Centre.
- I live roughly 30 metres away from the proposed venue and have huge concerns about the noise both from the proposed venue & customers coming and going at all hours.

I can already hear music from the town centre every weekend and the nearest venue is roughly 450 metres from me at present.

- The proposed venue will attract customers which will congregate

outside both when entering & exiting the Venue, going outside for fresh air, to have a cigarette or E Cig or even to fight & chat which would result in keeping me awake at all hours.

- Traffic will increase on Borough Road Customers being dropped off and picked up at all hours, again which will cause more noise pollution and light pollution with me being directly across the Road.

- We already have parking issues on Borough Road with having a School Leisure Centre, and Health Centre and feel this will only add to the already on going problems and also bring new issues ie: Safety when crossing main Road, emergency services not getting through, drink driving.

- My house is situated directly across from the proposed Venue with steps to the front of the property, grass gardens to the side & back alley to the back of the property which I feel will be places people will congregate before entering & when leaving the Venue.

• I feel that there is already enough music Venues, public houses & Restaurants in the Centre of Darwen and don't need more, especially in a residential area, across from homes of people living with families with small children.

• We already have Venues that have closed in the Town Centre that could be utilised, ie : Blues Bar and Suki's nightclub and Venues that are up for sale due to saturation of the market ie : Artisan, The Bank, Essense.

Please take this objection seriously and would like to be kept upto date with any up-dates going forward, in writing to my address 15 Borough Road, Darwen.

I am disabled and struggle to use a computer.

Objection – David Gregory, 41 Punstock Road, Darwen. Received: 19/08/2022.

I wish to object strongly to the development of the Darwen Windows site, this is a residential area on the edge of the town centre, I feel policy 8 covers the main objection points although policy 10 is also relevant.

Objection – Jean Slater, 37 Punstock Road, Darwen. Received: 22/08/2022.

I am writing to register my objection to the above application and, specifically, the proposed change of the use of the lower ground floor from vacant mill to a Live Music Bar.

I have set out below my main objections to the proposed application:

- anti-social behaviour linked with the proposed live music venue (including noise levels and littering) and, due to late night / early morning closing times groups congregating leading to the risk of increased violence and vandalism due to alcohol consumption
 - due to the venue being in close proximity to privately owned residences people feeling vulnerable in their own homes during the evening / night time
 - impact on house values in the [immediate] surrounding area
 - impact of increased traffic to the area and parking facilities for those travelling to the bar. This is already a busy road that provides access to the primary school, leisure centre and health centre. Cars being left on the road will lead to reduced visibility and increased risk for pedestrians accessing these local services.
-

Objection – Richard & Julie Davies, 23 Jubilee Street, Darwen & John & Shirley Moss, 25 Jubilee Street, Darwen. Received: 22/08/2022.

Please accept this e-mail as an objection to the application for conversion of premises from a vacant mill to a Live Music venue.

We object for the following reasons:

Noise Pollution

Our houses are in close proximity and the noise would be during unsocial hours, preventing us from having windows open and disturbing our sleep.

Residential area

The venue is outside the town centre boundary.

Traffic and Parking

This would be in addition to the parking already taking place from visitors to the health centre and leisure centre.

Anti-social behaviour

The street is already littered with rubbish and broken glass from customers of the many venues in town making their way home. School children and dog owners have to pick their way carefully on the street.

There are already many venues offering the same facilities in the town.

Objection – Gary Mitchell, Punstock Road, Darwen. Received: 22/08/2022.

I am a resident on Punstock Rd, Darwen, BB32SY I'm writing in objection of the proposed conversion of the property approximately 100m from my property as a music venue.

Firstly the noise from the venue is going to cause sound disturbance especially at weekends meaning in summer time I'm going to have to sit in my house with both windows and doors closed I work all week and expect to be able to get my rest and sleep at the weekends and do not want being kept awake until the early hours of the morning from both music and youths hanging around on the adjacent streets.

There is enough music venues in town and also old music venues available currently not being used.

Also I will be in contact with the council soon as noise Level exceeds the permissible allowance for a residential area.

Also people coming to the venue by vehicle are going to want some where to park are we as residents expected to put up with the parking in front of our properties, where are we expected to park if going out for the evening when we come home.

Why as a resident have we had to get to find out about this proposed changes to the building which is already going ahead second hand it appears to me the change of building use as already been accepted before the date for objections have been accepted

Objection – Susan & Keith Owen, 21 Jubilee Street, Darwen. Received: 22/08/2022.

Re. Objection to Full Planning Application Proposal Ref 10/22/0758:
Proposed change of use of lower ground floor from vacant mill to a Live Music Venue (Sui Generis). Location: Darwen Windows Ltd., Borough Road, Darwen, BB3 1PL.

Please accept and review our objections to the full planning application proposal ref. 10/22/0758 detailed above for the following reasons:

Noise pollution

The proposed live music venue seeks operating hours from Sun-Thu 18:30-23:30 and Fri-Sat 18:30-04:00. It seems unlikely that the live music will take the form of a string quartet and is more likely to feature louder, bass driven, DJ style music. From experience it's inevitable that the noise will travel to the neighbouring residential houses that are close to the venue - for example, the houses to the school side of Jubilee Street. The noise disturbance would be significant, frequent and substantial causing significant detrimental impact during unsocial hours when local residents are trying to sleep.

Residential Darwen

Darwen is a small town in which the town centre is in close and convenient proximity to several residential areas. The proposed venue steps outside the town centre and impinges on residential areas. More importantly, the residential areas affected by this proposal are predominantly family homes (working age adults with children, older people, etc.) rather than apartments. It is inevitable that the proposed venue will impact detrimentally on this peaceful residential area in a rural setting, close to Bold Venture Park and the Darwen Moors.

Traffic

Whilst the venue may seek to mitigate against the noise of the music there will also be the additional disturbance created by guests arriving and leaving the venue, typically by taxi, throughout the evening, night and early hours. Access to and from the venue is likely to spread the noise of traffic, people chatting, anti-social behaviour etc. even closer to residential areas. Work has been carried out by the Council to control traffic in this area of town (adjacent to a primary school, health

centre & leisure centre) which is more likely to exacerbate the problem of traffic at drop-off and pick-up times from this proposed venue.

Parking

As described above, the traffic control measures introduced by the Council as part of the redevelopment of the local area have sought to improve access to the health centre, the leisure centre and control traffic around the primary school. As a result, parking is limited and, at busy times, does lead to street parking that reduces the safety for pedestrians and other road users alike. It's likely that attendees, performers, road crew, etc. at the proposed venue will increase considerably the pressures on local parking, reduce safety, reduce the parking opportunities for local residents, and create further nuisance.

Anti-social behaviour

The noise, littering and other anti-social behaviour associated with late night music/drinking venues would take place close to a residential area, health centre, leisure centre and primary school. The proposed venue is an extremely poor fit alongside its neighbours.

Darwen's live music and night-time economy

There are several venues in Darwen that provide for live music events. Darwen regularly hosts live music events and festivals that are advertised in advance. These, for the most part, sit comfortably alongside the bars, restaurants, open space and other venues. They have created a vibrant night-time economy with occasional day-time music events. At the same time, Darwen is a small town with residential housing in close proximity to the town centre. Ensuring that the night-time economy is managed well and that a balance is struck between the desires of business owners and the needs of local residents is key. The Council will be well aware of a number of incidents in which this balance has been poorly managed and where this has led to a significant number of complaints from local residents. The proposed music venue on Borough plans to step across the line between business owners and residents and stretch the night-time activity further from the town centre and into residential areas whilst, at the same time, not adding anything new. It's simply another late-night drinking venue with music that will add further noise and disturbance which, in turn, will lead to significant complaints to Council officials and the police.

In summary we believe that if this proposed planning document is accepted the quality of life in the local area will be significantly and detrimentally affected. We urge you to reject the application and all similar applications for the development of this property as a bar/nightclub / music venue.

Objection – Garth Swift, 17 Borough Road, Darwen. Received: 25/08/2022.

To whom it may concern:

Reference: Conversion of mill to live music venue: CASE REF 10/22/2022

I wish to object to the planning application for the conversion of mill to live music venue.

I am a homeowner on Borough Rd. The application does not reflect the impact such a venue will have on the residents in the local area.

As our property faces the proposed site, there is going to be a significant level of noise pollution at unsociable hours as listed below:

- Noise of people that are entering and leaving the building. People on a night out are not inclined to be quiet and considerate of others they may impact. We can assume there will be queues to get into the venue which will create noise and once the venue closes there will be a mass exit of people that will create a large amount of noise in the local area.
- People will be congregating outside when they go for a cigarette – again creating crowds and noise.
- Taxis will use the side street at the top of the block of houses on Borough Rd to turn around which will increase the amount of traffic and noise.

I don't think the planning application makes a true reflection of the impact all these factors will have on the people that live on Borough Rd and how their lives will be affected. Due to the proposed hours the venue intends to run, it would be impossible to sleep with our bedroom window open in summer as will be kept awake until 4 or 5 am due to the factor listed above. This is going to impact people mentality and physically. I don't think any consideration has been made for this. During the week the operating hours are still late and will affect children that are in bed trying to sleep.

Having a venue like this in what is the start of the residential area will impact the house values and saleability of the premises. I don't believe it is fair that our life investment is impacted in this way. The mill has been used as a daytime business and the people on Borough Rd have purchased their houses and decided to live in the area with that as a consideration.

Based on the impact this proposed planning is going to have on personal lives and the detrimental impact it will have on house prices and saleability of the houses, I believe the planning permission should be rejected. In summary this conversion is not suitable for the location.

Objection – Miss Hannah Williams, 17 Jubilee Street, Darwen. Received: 26/08/2022.

Hi, please accept this email as an objection to the application 10/22/0758 (conversion of premises from vacant mill to live music venue).

I am a local resident of the area highly concerned about the potential amount of noise pollution impact this conversion could have on the local residential area. A large number of residential properties are within close proximity to the building which would be severely impacted. The noise from other late night music venues already impacts our property which are located further away than the vacant mill involved in the planning application. In particular, the operating hours requested include weeknights as well as weekends which is alarming.

I am not aware there are any parking facilities specifically for this venue other than on the road and I am concerned at the potential impact on traffic.

Darwen requires investment and I am keen for empty properties to be utilised, however there are empty sites within the town centre that this venue would be more suited towards.

Objection – Alan Bramley, 25 Borough Road, Darwen. Received: 26/08/2022.

Dear Planning Department,

I was recently informed by a neighbour of plans to convert the now defunct Darwen Windows Ltd building into a Live Music Venue. I have tried to find these plans on your website at "www.blackburn.gov.uk/planning". However, I have been unsuccessful in my search so cannot quote a planning reference for you. If this Plan is still active please can you consider my objections below.

The properties slightly uphill of the Darwen Windows building already suffer from late night noise pollution from other venues in the town centre such as "The Vault", "Sunbirds" and "Level One Live" but this just about tolerable due to greater distance and I do appreciate how these place contribute to the vitality of Darwen Town. However, I feel that opening another Live Music Venue much closer to our residential area is going to degrade our lives to quite an extent.

Since my property is only 70 to 80 yards away from this building my main objection is the high levels of noise and disturbance that I'll be subject to going on way into early hours. The planning proposal is that the venue will operate until 4am on Fridays and Saturdays but given that crowds will be dispersing at that time the noise and disturbance may continue to 5am and with musicians packing their equipment into vans maybe longer. This surely is unacceptable in what currently is a quiet, leafy residential area where I've been very happy and relaxed in the 22 years that I've lived here.

There are other problems as well, listed below.

- **Holy Trinity Primary School** is located nearby and its playground and entrance are located directly next door to the proposed venue. Since drugs are often associated with such venues there would be a public outcry if used needles etc., were to be found in the vicinity of these vulnerable children.
- **Parking** for myself and neighbours is very restricted in this area and we all park on Edison St (side cul de sac to Borough Rd). However, the trucks and vans of the entertainers plus vehicles of the attendees would be forced to turn around at the base of Edison St and Punstock Rd. So there will be noisy mini-traffic jams just a few yards away from my house in the early hours and increased risk of damage to our parked vehicles.
- **General Disorder and Disarray.** There is very likely to be shouting and fighting often associated with such venues. So likely there will be Police and Ambulances attending with emergency sirens in close proximity to my property in the early hours. Also if the nearby Spitfire Bar can be used as an example Borough Rd's pavements will be littered with cigarette ends and covered in broken glass and chewing gum.

In conclusion I am pleased Darwen is becoming more lively but can I state that this would be a step too far if it starts to interfere with the quality of life for local residents not only on Borough Rd but in other nearby streets.

Objection – Brian Nicholson, 48 Belgrave Road, Darwen. Received: 01/09/2022.

Hi

Hopefully I'm just on the deadline in order to raise my concern over this application. There is some confusion as to when the deadline was. Online it says Comments until the 25 August 2022, on the lampost it says 24 days within the dates it was posted which was the 8 August 2022. I heard about it on Tuesday evening 30 August but resigned myself to having missed the deadline. However I passed the building this morning 1 September 2022 and noticed that if I could have posted until the 31 August. So I thought I'd give it a go anyhow.

My objections are as follows:

1. The proximity of the building to residential dwellings and the detrimental consequences of transforming the building into a late night live music venue. It is diagonally 26 steps from the boundary of the nearest dwelling on Borough Road.
2. The proximity of other similar establishments in the immediate area: LiveOne, literally across the road. Sunbird Records, not much more than 200 steps away. The Blues Bar live music venue, a similar 200 steps away and other bars such as the Spitfire again just across the road.
3. In the Lancashire Telegraph dated the 31 August it states the building is being transformed into an "Entertainment Hub", it makes it sound like it's a done deal as it announces plans to open in October; will cater for up to 600 people and has applied for a licence to to sell alcohol from 8am till 1am. I object to this as it simply sounds like complete madness. Where will people park, where will they smoke, noise pollution etc.

<https://www.lancashiretelegraph.co.uk/news/20848092.darwen-bakery-building-get-events-space-entertainment-hub/>

4. There is an imbalance between the night time economy of Blackburn and Darwen. Blackburn has very little happening but has the space, shops, banks etc, Darwen is overcrowded with bars and venues but has three cash machines in the centre, no banks, no diverse range of shops etc.
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Objection – Mr James & Mrs Eileen Smith, 97 Manor Road, Darwen. Received: 02/09/2022.

Application ref: 10/22/0758 Darwen Windows Ltd Borough Road Darwen BB3 1PL - proposed change of use of lower floor to Live Music Venue The date on this notice outside venue is 8/8/2022

We object to this proposed change of use of the above address to a music venue.

Reasons stated below.

This is in the location of a residential area and we have serious concerns.

1. There are at present 2 known music venues located within a few 100 yards of this building, LIVE, across road from this building, address: The Green Darwen BB3 1PW and Songbird Records (next to Post Office) The Circus Darwen BB3 1BS, plus many other town centre bars that have music.
2. Noise pollution - the noise from this venue late at night would be a great cause for concern to residents living in houses close by within metres of this venue and the noise that would channel up Borough Road and Belgrave Road. Neighbours in these areas presently experience noise from venues already in the town centre.

3. Parking - this is at present an on-going issue in this area for Darwen people going to the Health Centre, Leisure Centre, Post Office, shopping and taking and collecting children to the local Junior School which is metres away from this venue.

4. Anti Social Behaviour - attracting anti social behaviour late evenings and early hours of the morning and causing disturbances to local residents.

5. Litter - the extra litter, cigarette butts and who knows what left lying around close to school gates, Health Centre, gardens areas and footpaths from people attending this venue.

6. We have concerns from the quotes from Lancashire Telegraph 31/8/22.

Application for Alcohol Licence sale from 8am - 1am and late night 11pm to 2pm
Catering for 600 people and seated bar area for 120-150 people for sports evenings
for boxing, wrestling and mixed martial arts.

For 600 people, what kind of vehicles will people arrive in (car, bus, coach) and where are they going to park?

We object to this application.

Objection – Mr David Prest, 31 Punstock Road, Darwen. Received: 20/09/2022.

15th SEPTEMBER 2022
Dear Nick Blackledge, I wish to comment on one or two things that worry me about the proposed Live Music venue on Borough road.

- ① How will this affect the saleability and value of my property, and others close by.
- ② How will the permitted noise levels be monitored.
- ③ Who will pay for the extra police that will be needed for disturbances etc.
- ④ Bottles, glasses, take away packaging etc that are thrown on the roads will need to be removed
- ⑤ Residents will have to shut windows to keep the noise out. Sleep will be disturbed for many residents.
- ⑥ Taxis already stop at the bottom of Punstock to drop school children in the mornings & afternoons. This would not be acceptable to anyone at night, the head lights on the windows would wake most people, together with the shouting & banging of car doors
- ⑦ I believe some of the things that may be

forced upon the residents close by, would be an affront to human rights & health & safety. and that any council that allows this to happen would not be thinking of the wellbeing of the effected residents.

Objection – Tim. Received: 26/09/2022.

I would like to make personal objection against the change of building use and I'm assuming an alcohol licence requirement. This is re the old Darwen Windows site on Borough RD. I can't find anything online (BWD application site) regarding Borough Rd other than 10/22/0758

I can't see anything of detail other than Proposed change of use of lower ground floor from vacant mill to a Live Music Venue (Sui Generis)

The objection applies to this and what ever is planned for the other floors – someone is very confident that application/s have or will be successful re current occupancy during the day and late into the night re workman.

I'm not sure whether the building is classed as in a residential area or the town centre, but I'd class 10ft away as residential.

I must be honest and say I have zero experience in this field, and I don't understand the process and indeed why it is needed because the site is next to a primary school. The building overlooks the school play area, school classrooms and changing rooms. When this building was used by a very few people the windows were blacked out and boarded up or smashed.

Borough Rd currently offers zero problems for me regarding rubbish related to drug use or smashed bottles/glasses which DOES come with live venues, I have therefore a great concern about rubbish around the area but specifically on the school site. The council road sweeper is useless re broken glass – it just dumps it in a line. This is common on Bank Top nearby.

Parking is an issue re max capacity already as you will be aware of this regarding the health centre and DLC. Outside the premises is restricted parking for approx. 6 cars for an hour. Opposite has no restrictions BUT this reduces the road to a single lane – which has been the norm for a few weeks now. This is on approach to Zig zags. There is no point saying visitors could use residential streets as these will be full during the night. Also, local car parks are full because at night the Post Office fill the local car park and a lot of the main rd. spaces. Regarding taxi drop offs, I don't see a safe area where this could happen re the already limited parking.

The area is very dark, it is noted that one streetlight has recently been relocated. It is my belief this would be an ideal place for "anti-social behaviour".

I am not sure what hours the building is to be used BUT if it is during school hours – 7.30am – 6pm and later re some after school clubs then it would be unacceptable for alcohol to be available at these times and certainly for music to be played. Note if someone is applying for a licence to sell alcohol from 8am they therefore intend or can sell at that time.

Fire exits – where would (assuming many people) they exit to? There is a tall perimeter wall running along the back.

Smoking area – my concern is that the basement looks out to our playground and school but a grassed area where i.e., cigarette's must not be thrown.

I would also add that it can not be ignored that the application was posted during school holidays where the site is closed to all post. The post office must return any post to sender. Common courtesy says to speak to your adjoining neighbour. The application was first posted on a lamppost to the public on the 30th of August at 9.41am. Someone then removed the top notice which had been securely taped.

I understand the days of Darwen being a quiet mill town have long gone and this does seem the norm BUT this building next to and overlooking a primary school cannot go ahead – I'm guessing it will but then I would need answers as to why the use of building is needed.

Sorry I have had to rush this.
