

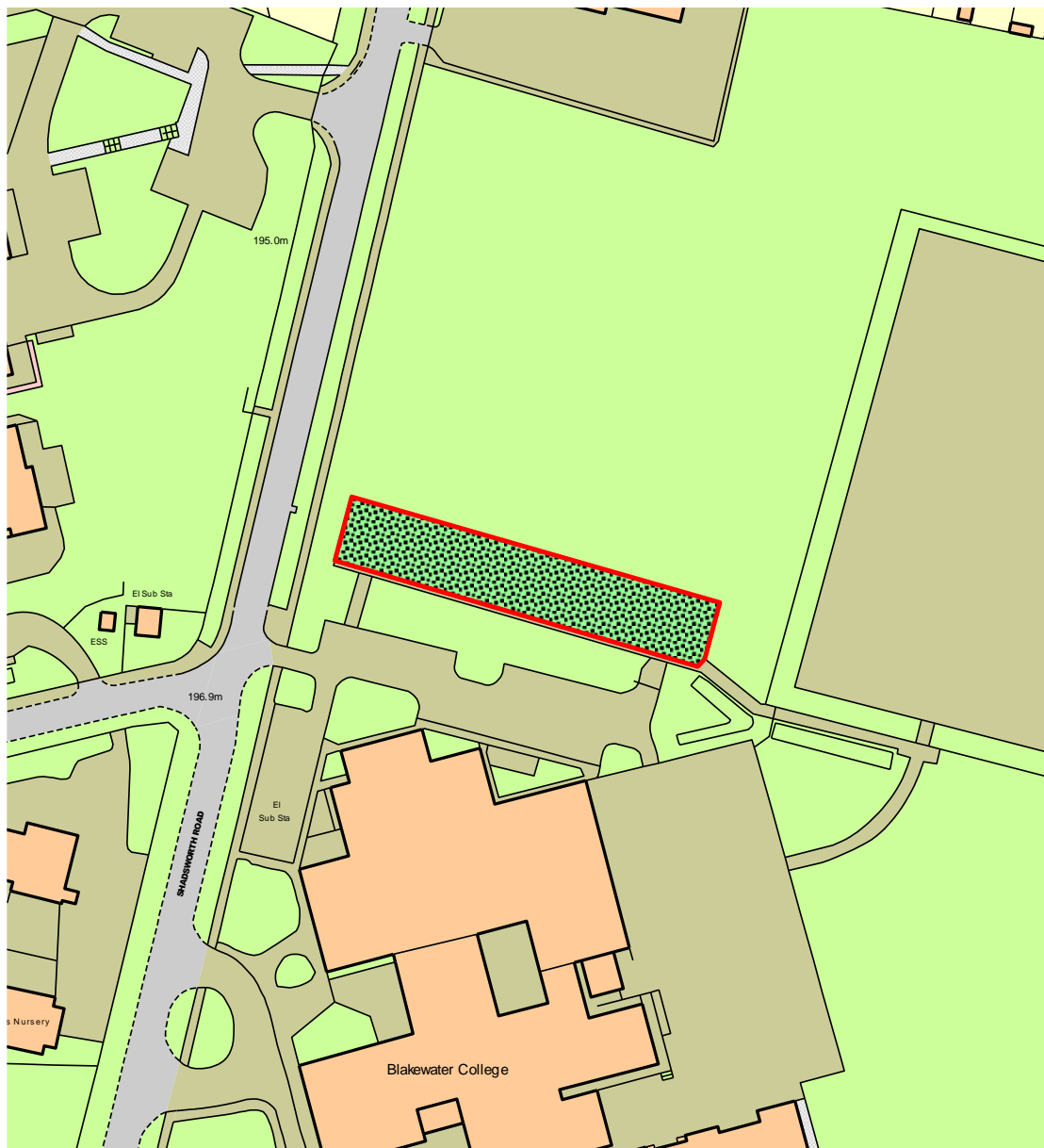
Proposed Development: Temporary pod accommodation (10 sleeper & 2 dining pods)

Site Address: Shadsworth Leisure Centre, Shadsworth Road, Blackburn, BB1 2HT

Applicant: Blackburn with Darwen Borough Council

Ward: Blackburn South East

**Councillor Tony Humphrys
Councillor Vicky Ellen McGurk
Councillor Jim Shorrocks**



1.0 SUMMARY OF RECOMMENDATION

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

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 This application is presented to the Planning and Highways Committee, in accordance with the Council's Constitution, and given that the application site is within the ownership of the Council. The application is also made on behalf of the Council.

2.2 The proposed development has been publicised through letters to residents and occupants of the nearest 23 adjacent properties 16th May 2023. A site notice was also displayed at the site access point on the same day. No public comments have been received for the application so far. Should any be received ahead of the committee meeting they will be presented as part of a committee update report.

2.3 The Council's development plan supports new residential development and associated works, provided they constitute sustainable development and accord with the development plan when taken as a whole.

2.4 The proposals would deliver temporary residential accommodation for those in need. 10 sleeper pods would be provided alongside 2 diner pods. Vehicle and pedestrian access would be gained from Shadsworth Road. The application is the third submission for the pods and they are required to be moved for safety reasons.

2.5 On balance, the proposals would be satisfactory from a technical point of view, with all issues having been addressed through the application process or capable of being controlled or mitigated through appropriately worded planning conditions.

2.6 The key issues to be addressed in determining this application are follows;

- Establishing the principle of development
- Assessing any design and visual amenity impacts
- Safeguarded the residential amenities of the immediate neighbours
- Ensuring adequate standards of public safety are provided
- Ensuring adverse impacts on the local highways network are avoided
- Assessing drainage provisions

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site forms part of the leisure centre complex, which is located within the settlement boundary of Blackburn. The leisure centre is currently vacant and is scheduled for demolition under application 10/23/0445. The site

covers an area of circa 0.3 acres. Recreational land surrounds to two sides with a large leisure centre building and carpark to south. A school and commercial buildings are positioned to the west. Loose aggregates currently cover the site.

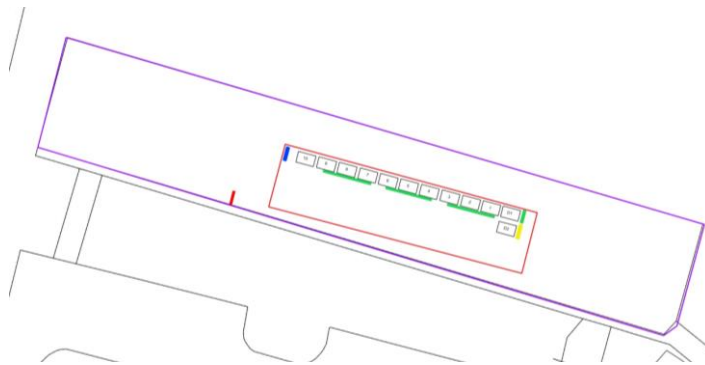
Figure One – Satellite image of the site



3.2 Proposed Development

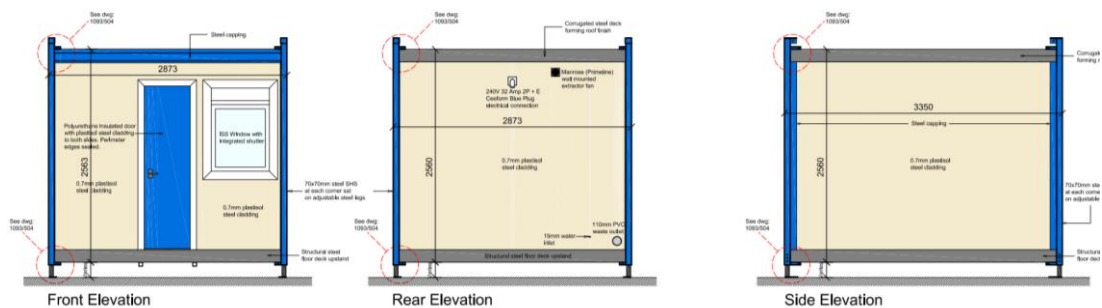
- 3.2.1 As detailed above, this planning application involves the siting of temporary residential accommodation in the form of 10 sleeper pods. 2 diner pods would also be sited in support of the development. Members will be aware that temporary planning permission (until June 2023), was granted at the Committee meeting in December 2022. The pods are currently sited just south of the site. They are required to be moved for safety reasons in order to allow for the leisure centre to be demolished. A number of the pods are currently inhabited. Members are advised that a separate application for the demolition of the leisure centre is currently being considered, and will be presented to the Committee at the meeting in July. (ref: 10/23/0445).
- 3.2.2 The sleeper pods in their revised position again would be arranged in a linear formation with the diner pods positioned to the east edge of the site. Waste storage facilities, lighting and CCTV would all be provided in support of the development. The site has a single access point from Shadsworth Road, which will be used for all vehicular traffic. Ground works are required at a later stage in order to connect the site with the existing access point. A pedestrian link will also be formed connecting the site to Shadsworth Road. For clarity, the extent of those works is unclear at this stage. Heras fencing will also be used to enclose the perimeters of the site.

Figure Two – Proposed Site Plan



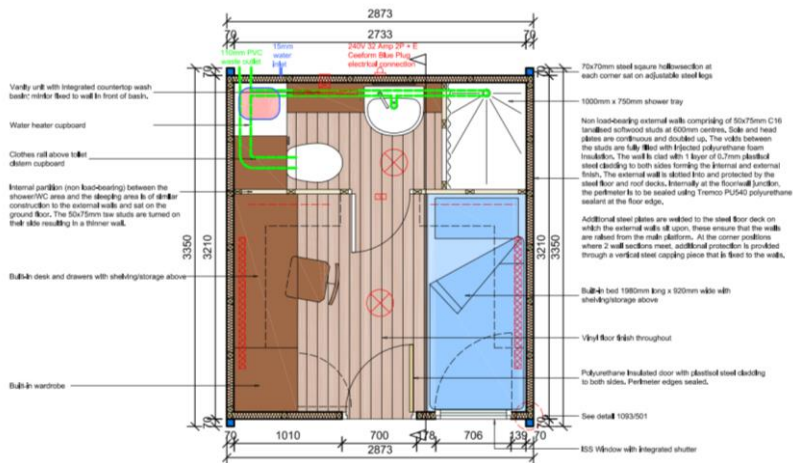
3.2.3 The pods are 3.4m in length and 2.9m in width. The height of each pod is 2.6m with a variable distance assumed to be no greater than 0.2m from finished ground level to underside of pod. The envisaged overall height from ground level to top of pod is envisaged to be circa 2.8m.

Figure Three – Proposed Elevation Plans



3.2.4 A single bedroom and toilet/shower room would be provided within each sleeper pod. A kitchenette and dining area would be provided in each dining pod. All of the pods are coated in a light grey colour with blue doors and trim used. A small flight of stairs and timber handrail would be installed at each pod for access purposes.

Figure Four – Proposed Floor Plan for Sleeper Pods



3.3 Case Officer Site Photos



3.4 Development Plan

3.4.1 Core Strategy Part 1 (2011):

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

3.4.2 Local Plan Part 2 (2015):

- Policy 1: The Urban Boundary
- Policy 7: Sustainable and Viable Development
- Policy 8: Development and People
- Policy 9: Development and the Environment
- Policy 10: Accessibility and Transport
- Policy 11: Design
- Policy 18: Housing Mix

4.0 ASSESSMENT

4.1 Principle of Development

- 4.1.1 Within the development plan, there are general requirements to ensure new housing development is proposed in sustainable locations, and in accordance with market conditions. Policy 1 identifies the preferred location for all new development to be within the defined urban areas of Blackburn and Darwen. With specific reference to housing, those requirements are reinforced by Policy CS5 and the site benefits from such a location.
- 4.1.2 Moreover, services, facilities and regular public transport links are all within walking distance and the site is in a sustainable location for new housing development, thereby complying with the relevant requirements of the aforementioned housing distribution policies.
- 4.1.3 Both Policies CS7 and 18 prioritise family housing over all other forms of housing. The proposed sleeper pods do not fall within that category as they have been designed to provide temporary accommodation for those in need. A temporary permission has been applied for up until April 2024. A condition is recommended to limit the permission to that timeframe in order to prevent the permanent use of this type of accommodation. Subject to compliance with that condition, the principle of residential development would be acceptable.
- 4.1.4 In accordance with the presumption in favour of sustainable development detailed in the Framework, and Policy 7, development proposals should proceed without delay, unless impacts which significantly and demonstrably outweigh the benefits of the proposal are identified; subject to assessment of the following matters.

4.2 Design and Visual Amenity

- 4.2.1 The site is positioned within an urban area that has a highly varied streetscene. In general terms, Policy 11 requires all development proposals to represent a good standard of design through demonstrating an understanding of the sites wider context, and making a positive contribution to visual amenity.
- 4.2.2 The modular appearance of the proposed pods arguably does not correspond with the prevailing character of the area. That said, the temporary nature of the development must be taken into account when assessing design impacts alongside the public benefits provided through their siting.
- 4.2.3 The condition recommended to limit the permission to a specific timeframe is also necessary on visual design grounds in order to prevent the permanent siting of modular buildings at this open and exposed site. Subject to compliance with that condition, the proposed development would be acceptable with reference to design and visual amenity, in accordance with Policy 11.

4.3 Residential Amenity and Public Safety

- 4.3.1 The surrounding land uses are exclusively non-residential and there are no dwellings within a near proximity. Policy 8 states that all development proposals must secure a satisfactory level of amenity and safety for surrounding uses and for occupants or users of the development itself, with reference to noise, vibration, odour, light, dust, other pollution or nuisance, privacy/overlooking, and the relationship between buildings.
- 4.3.2 A review of application 10/22/1066 was undertaken by BwD Public Protection and no objections were raised. These proposals are virtually identical. Owing to ample separation, the proposals would not be harmful to the amenities of the closest neighbours.
- 4.3.3 Regarding public safety, a Risk Assessment been provided with the application that appraises any potential risks on site. The hazards identified include the potential fire risk of the adjacent leisure centre. A Fire Audit Report and Pod Safety Logbook has also been provided.
- 4.3.4 Those documents demonstrate that adequate diligence would be applied by the managers of the development and that safety protocols will be properly followed. It should also be noted that Lancashire Fire and Rescue have raised no concerns in relation to the development. For those reasons, the proposed development is acceptable with reference to residential amenity and public safety, in accordance with Policy 8.

4.4 Highways and Parking

- 4.4.1 The site currently has no access point connecting it to existing highways infrastructure. Policy 10 requires all development proposals to not prejudice road safety or the safe, efficient and convenient movement of all highway users. Parking should also be provided in accordance with the BwD Parking Standards, where relevant.
- 4.4.2 The existing access point from Shadsworth Road serves a relatively large carpark that is appropriate for the proposed use. It is anticipated that any vehicular traffic movements associated with the proposals would be minimal and limited to supporting staff members alone.
- 4.4.3 As detailed above, the access arrangements for vehicles and pedestrians are unknown at this stage. A junction is required to be formed from the existing access point roughly where the footway is. A pedestrian link connecting the site to Shadsworth Road would also be formed. The layout and extent of those works are to be clarified in the future following the production of ground condition surveys, which are currently underway. They are expected to be minimal and limited to excavations and the laying of loose surfacing materials. A condition is therefore recommended to control those details in order to clarify the terms of this consent.

4.4.4 No formalised parking arrangements are proposed in support of the pods given the nature of the accommodation. That said, the wider site provides ample parking opportunities for staff members and visitors, as detailed above in Figure Two. Subject to compliance with the attached access layout condition, the proposed development would be acceptable with reference to highways and parking, in accordance with Policy 10.

4.5 Drainage Assessments

4.5.1 The submitted application form states that any foul waters would be stored within a septic tank, which would need weekly emptying. Policy 9 contains general requirements regarding and the provision of adequate drainage systems. The pods would be sited on an area of loose aggregate and no additional runoff would be created.

4.5.2 The foul waters disposal system is also acceptable for the type of development proposed. BwD Drainage raised no objections to application 10/22/1066 and the same provisions are proposed here. For those reasons, the proposed development is acceptable with reference to drainage assessments, in accordance with Policy 9.

4.6 Summary

4.6.1 This application involves the temporary siting of residential accommodation in the form of 10 sleeper pods alongside 2 diner pods. Ground works are also required to form access points. Subject to appropriate conditions, the proposed development would be acceptable on all the relevant planning grounds, in accordance with the policies detailed in Section 3.4.

4.6.2 Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. Subject to appropriate conditions, the proposal would be acceptable in principle and in terms of design and visual amenity, residential amenity and public safety, highways and parking, and drainage assessments.

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

5.0 **RECOMMENDATION:**

Delegated authority is given to the Strategic Director of Growth and Development to approve planning permission, subject to the following conditions;

5.1 This permission covers a temporary period alone and the development hereby approved shall be entirely removed on or before 01/04/2024, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to ensure the development is not retained indefinitely, in the interests of preventing the permanent siting of modular residential accommodation and visual amenity, to comply with the requirements of Policies 11 and 18 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

- 5.2 Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on the following drawings and supporting documents: Location Plan (JS-GROWTH), Proposed Site Plan (1:500), 1093/JD/001, Sleeper Unit Technical Specifications and Diner Unit Technical Specifications.

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

- 5.3 The external materials to be used for the construction of the development hereby approved shall be as stated on the submitted application form and approved drawings.

REASON: Those materials are acceptable for this development and site, in the interests of visual amenity, and to comply with the requirements of Policy 11 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

- 5.4 Prior to the positioning of any buildings on site, plans shall have first been submitted to and approved in writing by the Local Planning Authority regarding vehicle and pedestrian access arrangements. The development shall thereafter be implemented in strict accordance with the approved details and none of the buildings shall be occupied until they have been provided in their entirety, unless otherwise agreed in writing.

REASON: In order to clarify vehicle and pedestrian access arrangements, in the interests of highway and pedestrian safety, and to comply with the requirements of Policy 10 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

6.0 RELEVANT PLANNING HISTORY

- 6.1 10/23/0445 – Demolition of two-storey Shadsworth Leisure Centre (prior approval is required) – the assessment of the application is ongoing, and the application will be presented to the 20th July 2023 committee meeting.
- 6.2 10/23/0277 – Removal of Condition No.1 pursuant to planning application 10/22/1066 'Proposed temporary pod accommodation - 10 Sleeper pods and 2 diner pods for severe weather exposure provision (SWEP) over the winter period' - To extend the date for the temporary permission – Application withdrawn in order to allow for the pods to be repositioned.

6.3 10/22/1066 – Proposed temporary pod accommodation - 10 Sleeper pods and 2 diner pods for severe weather exposure provision (SWEP) over the winter period – Approved, with conditions – December 2022 (committee decision).

7.0 CONSULTATIONS

7.1 BwD Property Services – No objections.

7.2 Lancashire Fire and Rescue – A number recommendations are made to make the applicant aware of conditions which will have to be satisfied on a subsequent Building Regulation application. The conditions may affect the elevation of the building and access to them. These recommendations must be included if this application passes to another party prior to Building Regulation submission.

7.3 Ward Cllrs

7.4 No public responses have been received

8.0 CONTACT OFFICER: Christian Barton – Planning Officer

9.0 DATE PREPARED: 2nd June 2023

10.0 SUMMARY OF REPRESENTATIONS – none received.