

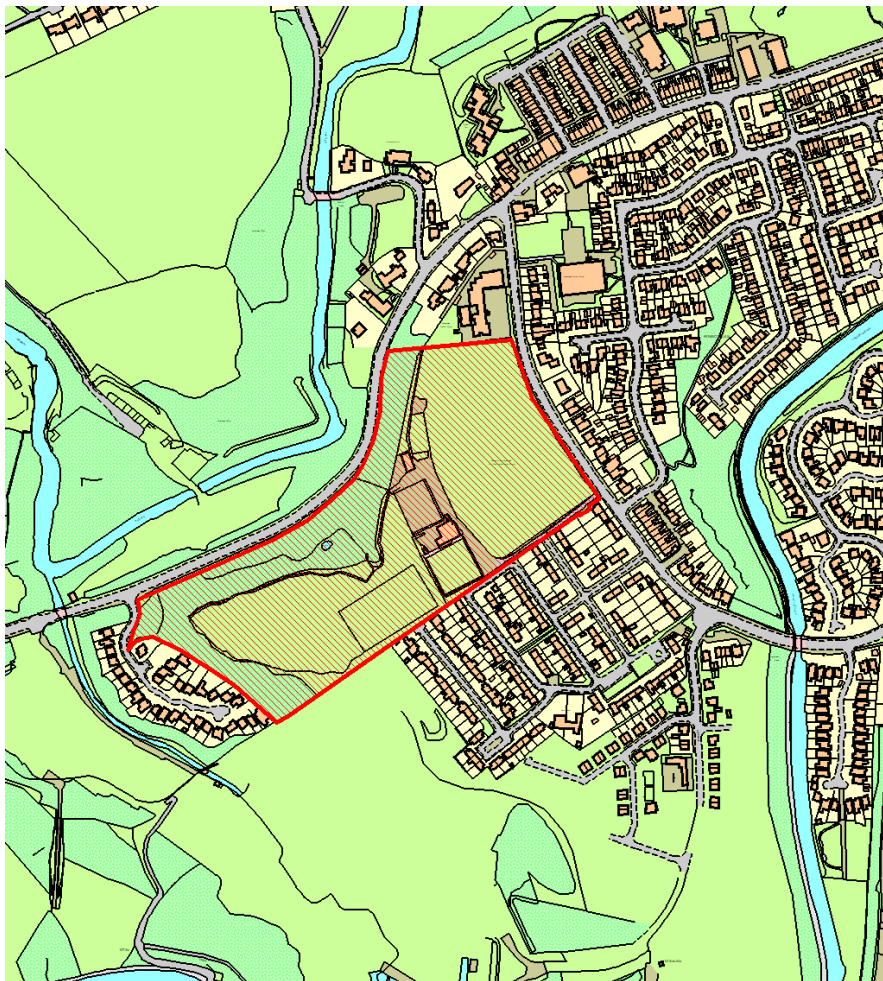
Proposed development: Full Planning Application: Re-development of recreation ground to include demolition of existing cub house and construction of new club house, multi-use games area pitch, groundsmen store, relocation of tennis courts and cricket nets, repositioned football pitch and improvements to access road and parking areas.

Site Address:

**Feniscowles And Pleasington War Memorial Recreation Ground
Livesey Branch Road
Livesey
Blackburn
BB2 5EG**

Applicant: The Trustees of Feniscowles And Pleasington War Memorial Recreation Ground

**Ward: Livesey With Pleasington Councillor Derek Hardman
 Councillor Paul Marrow
 Councillor Mark Russell**



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – Subject to conditions set out at paragraph 4.1.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 The application is reported to Committee on account of it being a major application type, by reason of an overall site area in excess of 1 hectare - at land not allocated for any specific purpose. This is in accordance with the Council's adopted Scheme of Delegation.
- 2.2 The proposal is in the form of a full application type. Detailed assessment finds the development to be in accordance with the Development Plan and National Planning Policy Framework (The Framework), representing a significant upgrade to the existing community facilities, which would correspond with the Council's overarching growth strategy, as set out in the Core Strategy and Local Plan Part 2. All technical issues have been addressed through the application or are capable of being controlled or mitigated through application of planning conditions.

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1 The application site (the site) comprises 2 hectares of land in use as a private run community sports and recreation club, known as Feniscowles and Pleasington War Memorial Recreation Ground which was founded in 1921. The club is run as a registered charity. Activities include recreational / children's play area, football, bowls, cricket and tennis. The site accommodates 10.4 acres of recreational greenspace. The existing clubhouse provides changing and storage facilities for the various sports along with a cafe and bar / private function facilities available to members and the general public.
- 3.1.2 The site holds a principle position at the urban fringe of Blackburn, within the Urban Boundary. The south western section extends beyond the Urban Boundary, into Green Belt; so defined by the Adopted Policies Map of the Local Plan Part 2.
- 3.1.3 The site is accessed from the west of Livesey Branch Road (A6062).
- 3.1.4 The site is identified below (Google Imagery – extracted from the Design & Access Statement, SPA Architects).

New Club House / Pavilion:

Ground floor –

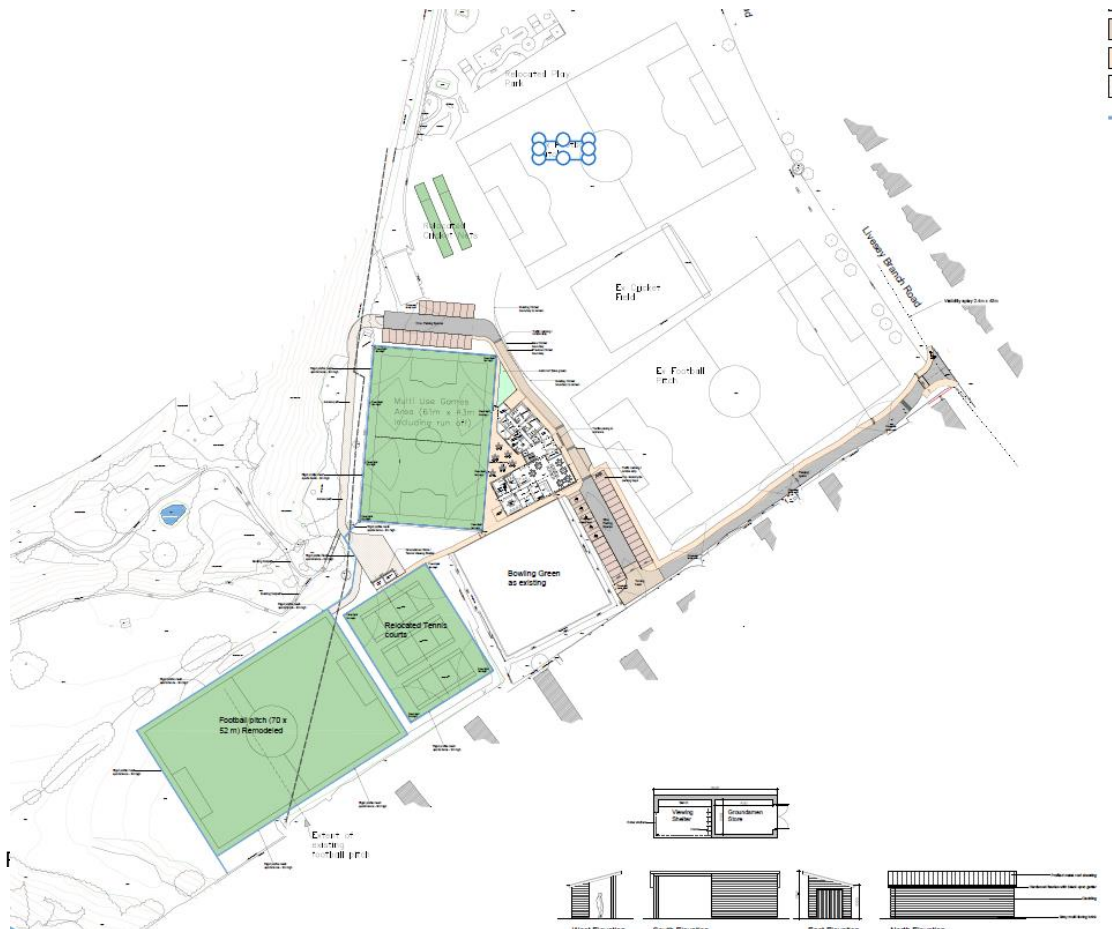
- FA compliant changing rooms;
- Referee changing rooms;
- Pavilion bar;
- Café/Kitchen/Store;
- Stairs/Lift; and
- Toilets.

First Floor –

- Gym;
- Meeting room;
- Function room with Bar; and
- Viewing balcony & toilets.

3.2.2 Externally the football / cricket pitches at the front of the site will be retained as existing.

3.2.3 Full details are set out in the submitted application form, drawings, Supporting Statements and Technical Reports. Images extracted from submitted drawings and statements are show below (SPA Architects, 2022).





Proposed Club House

3.2.4 The following table summarises the existing and proposed facilities at the site (Transport Statement, SK Transport Planning Ltd, 2022).

Facility	Existing	Proposed	Net Change
Clubhouse	374sqm	1,107sqm	643sqm
MUGA	0	1	1
Football Pitches	3	3	0
Tennis Courts	3	3	0
Bowling Green	1	1	0
Cricket Pitch	1	1	0
Play Area	1	1	0
Cricket Nets	0	1	1

3.2.5 The site has been identified to continue and become a substantial sports/community 'hub, to support new homes being constructed within a short walk from the site, together with the existing homes in the locality.

3.2.6 Re-development would be part funded by a Section 106 developer contribution of £350,000 generated by the Sappi housing development. The applicant is also seeking additional external grant funding towards the total cost of the development.

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
- CS11 – Facilities and Services
- CS15 – Ecological Assets
- CS13 – Environmental Strategy
- CS16 – Form and Design of New Development
- CS19 – Green Infrastructure
- CS22 – Accessibility Strategy

3.3.4 Local Plan Part 2 (LLP2)

- 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 36 – Climate Change
- Policy 40 – Integrating Green Infrastructure and Ecological Networks with New Development

3.3.5 Joint Lancashire Minerals and Waste Local Plan Site Allocations and Development Management Policies Part One (2013) and Part Two (2013):

- Policy DM1: Management of Waste & Extraction of Minerals
- Policy DM2: Development Management
- Policy DM4: Energy from Waste

3.4 **Other Material Planning Considerations**

3.4.1 Local Plan Review

Blackburn with Darwen Borough Council is reviewing their current adopted Local Plan. The review will lead to a new Local Plan to replace the existing and will cover the period 2018 to 2037. As an emerging document, it carries weight in the decision making process.

3.4.2 Review of the Joint Lancashire Minerals and Waste Local Plan – Publication Consultation Version (Regulation 19), Autumn 2018.

3.4.3 Green Infrastructure Supplementary Planning Document.

3.4.4 National Planning Policy Framework 2021 (The Framework).

Overall, The Framework aims to raise economic performance. Quality design should be secured and environmental impacts minimised.

Section 8 of The Framework is especially relevant to this proposal, as it focusses on promoting healthy and safe communities.

3.4.5 National Planning Policy Guidance (NPPG).

3.5 Assessment

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

- Principle of the development;
- Amenity impact;
- Environmental impact;
- Accessibility and transport; and
- Design and layout.

3.5.2 Principle

The site is partially located within a Mineral Safeguarding Area – ie the existing football and cricket pitches, as well as, principally, within the Urban Boundary. Given the long established use of the land for sport and recreation, as well its relationship with sensitive residential receptors, none of the site should be considered appropriate for mineral extraction. Accordingly, no conflict arises with the aims and objectives of Joint Lancashire Minerals and Waste Local Plan

3.5.3 In accordance with the Adopted Policies Map of the Local Plan Part 2 (extracted below), the site is principally located within the urban boundary of Blackburn. The south western section extends into the Green Belt. The area defined as the Recreation Ground, including the existing clubhouse and bowling green is designated as Green Infrastructure (GI).



3.5.4 The site lies within the defined Urban Boundary; in accordance with Core Strategy Policy CS1, and Local Plan Part 2 Policy 1, which set out the principle that the preferred location for new development will be within the urban area.

3.5.5 Policy CS11 and expansion in the range and quality of public services.

3.5.6 Policy 7 on Sustainable and Viable Development echoes the presumption in favour of sustainable development set out in The Framework. Thus, applications that accord with policies in the Local Plan will be approved without delay unless material considerations indicate otherwise.

3.5.7 In consideration of the area identified as GI; the Council's GI SPD quotes Natural England's definition of GI as *a strategically planned and delivered network of high quality green spaces and other environmental features. It should be designed and managed as a multifunctional resource capable of delivering a wide range of environmental and quality of life benefits for local communities. GI includes parks, open spaces, playing fields, woodlands, allotments and private gardens.* The SPD sets out the acknowledged multiple functions of GI as:

- Setting the scene for growth, creating a good quality of place and quality of life and supporting sustainable economic growth;
- Supporting physical and mental health and well-being;
- Providing for recreation, leisure and tourism;
- Supporting the rural economy;
- Helping to manage flood risk;
- Supporting mitigation and adaptation to climate change;
- Positively benefitting the historic environment; and
- Enhancing the ecological network and promoting biodiversity.

3.5.8 Policy 9 seeks to guard against the unwarranted loss and function of GI. The policy confirms *inter alia* that development will be permitted provided it can be accommodated without the loss of the function of open space (GI).

3.5.9 The proposal does not involve the material loss or function of GI. The existing recreational area, comprising two football pitches and a cricket pitch, would be unaffected. The existing tennis courts would effectively give way to the proposed MUGA, and the existing Children's Play Area to the cricket nets, with the new Play Area located to the northern end of the site, adjacent to Feniscowles Primary School.

3.5.10 Relocated tennis courts, a small section of MUGA and a remodelled football pitch would hold a position within the Green Belt. The remodelled football pitch would replace an existing pitch, at a larger scale, extending circa 30m into undeveloped land to the south west.

3.5.11 Policy 3 reflects the Framework in confirming that construction of new buildings within the Green Belt is inappropriate development, subject to certain exceptions, including provision of appropriate facilities for outdoor

sport, outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

3.5.12 The replacement clubhouse is recognised as holding a position within the urban boundary, outside of the Green Belt. The relocated tennis courts, 3 in number, including a 3m high green mesh fence would be straddled by the existing bowling green to the east and the remodelled football pitch to the west. They would be read entirely in context with the wider sporting / recreation facility and would be partially screened from mid to long range views in from the public realm to the east (Livesey Branch Road) by a well-established hedgerow which bounds the bowling green, by housing to the south and by the general topography to the west, which galls away from the site, terminating in a woodland embankment adjacent to Preston Old Road. The remodelled football pitch would not be enclosed and would hold a position broadly consistent with the existing pitch, save for an increase in length extending into land to west. The proposal is, therefore, found to be appropriate development within the Green Belt, which would preserve its openness.

3.5.13 Accordingly, the principle of the development is found to be acceptable, in accordance with the requirements of the Development Plan and The Framework's presumption in favour of sustainable development, which should proceed without delay, unless impacts which significantly and demonstrably outweigh the benefits of a proposal are identified; subject to assessment of the following matters:

3.5.14 Amenity

Policy 8 requires development to contribute positively to the overall physical, social, environmental and economic character of the area. It is also required to secure 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.

3.5.15 Relationship between buildings / Privacy/ Outlook:

The proposed replacement clubhouse would occupy a portion of the footprint of the existing clubhouse, whilst extending beyond into land to the north. It would be positioned no closer to houses to the south, maintaining a minimum separation of circa 56m. The relocated enclosed tennis courts would be positioned circa 11.5m from the end of the nearest house. An established hedgerow, circa 2.5m in height, defines the boundary of the housing estate and the site, guarding against privacy loss. The relocated football pitch would be circa 80 from the nearest houses on Tintagel Close, to the south west. Contrary to public objection received, the pitch would not be enclosed by fencing. Accordingly, a mutually acceptable relationship between the development and neighbouring uses would be secured.

3.5.16 Noise / residential amenity impact:

A Noise Assessment has been submitted with the application and reviewed by the Council's Public Protection consultee. No significant adverse impacts are

found to arise from the proposal, subject to the following recommended (summary) conditions:

- Submission of a soundproofing scheme for the Clubhouse;
- Hours of use restriction for the Clubhouse;
- Hours of use restriction for the MUGA, relocated tennis courts and relocated football pitch, of:
 - MUGA and tennis courts - 09:00 – 21:00hrs
 - Football pitch - 09:00 - 18:00hrs;
- Submission of a floodlighting scheme;
- Watching brief for unexpected ground contamination;
- Limited hours of demolition and construction:
 - Monday to Friday 08:00 - 18:00 hours
 - Saturday 09:00 - 13:00 hours
 - None on Sundays and Bank Holidays;
- Submission of a Demolition, Construction and Environmental Management Plan;
- Submission of a monitoring of noise & vibration scheme, if pile driving or similar is required; and
- Submission of a scheme for electric vehicle charging points.

3.5.17 Members are advised that no hours of use restriction currently applies to the Clubhouse. Applying a restriction to the new Clubhouse is, therefore, considered to be unreasonable. It should be recognised that complaints alleging nuisance can be addressed under statutory powers under the Environmental Protection Act 1990.

3.5.18 The applicant has confirmed a desire to utilise the MUGA and tennis courts between 08:00hrs and 22:00hrs and the football pitch between 08:00hrs and 20:00hrs. Members are advised that the tennis courts currently operate with unrestricted hours, although they are currently sited further away from houses (to the south). It is considered that no significant adverse noise impacts would arise from tennis, notwithstanding that the courts would be located closer to the houses. The aforementioned 2.5m boundary hedge would provide some acoustic qualities. The MUGA would be sited circa 55m from the nearest house. The remodelled football pitch would hold a position broadly the same as the existing pitch, save for the aforementioned increase in length and it would not be flood lit, meaning that it could only be used seasonally, in the spring and summer months, until 20:00. Moreover, the existing pitch currently operates without an hour's restriction. Taking these circumstances into account, it is considered that the additional hours of operation are justified. Members are, therefore, recommended to consider imposing an hour's condition in exceedance of those recommended by Public Protection, for the MUGA, tennis courts and football pitch.

3.5.19 Light pollution:

A lighting scheme has been submitted with the application, to guard against harmful light spillage towards nearby houses arising from flood lighting to the

MUGA, tennis courts and street lighting to the private access road. The scheme has been appropriately designed and its implementation, secured via condition, would mitigate the threat of light pollution.

3.5.20 Accordingly, it is found that satisfactory levels of amenity and safety would be secured for existing and future residents. The development is also considered to contribute positively to the overall physical, social, environmental and economic character of the area, in accordance with the requirements of Policy 8 and The Framework.

3.5.21 Environment

Policies 9 and 40 requires that development will not have an unacceptable impact on environmental assets or interests, including but limited to climate change (including flood risk), green infrastructure, habitats, species, water quality and resources, trees and the efficient use of land; and for ecological networks to be integrated.

3.5.22 Drainage / Flood Risk:

The site is located with Flood Zone 1 (low risk of flooding). A Preliminary Drainage Strategy (PDS) has been submitted with the application. The Council's Drainage consultee, as Lead Local Flood Authority, offers no objection subject to submission of a foul and surface water drainage strategy, notwithstanding submission of the PDS.

3.5.23 United Utilities (UU) offer an objection pending submission of additional information pertaining to asset protection; specifically due to the proximity of the development to a rising main. Although the PDS appears to include some of the requested detail, it is not clear if UU has reviewed the information, as their response refers only to review of the proposed site layout. An alternative approach is, however, offered (by UU), in the absence of such information prior to determination, by way of securing asset protection / diversion details via condition. Notwithstanding the above, the applicant has confirmed communication between UU, was undertaken prior to the submission of the application, and that a 3m easement from the rising main would be required, to ensure no building or engineering works therein. The scheme has been designed accordingly, as indicated on the submitted site plan, which shows the route of the rising main, in accordance with UU's Map of Public Sewers extract (28/10/2021), a minimum 3m distance from the MUGA and relocated tennis courts. Under the circumstances, Members are advised that application of the asset protection condition, would be unnecessary and unreasonable.

3.5.24 Notwithstanding the submitted PDS, UU also recommend submission of a Drainage Strategy and a Management and Maintenance Strategy, via condition.

3.5.25 Bats:

A Preliminary Ecological Appraisal and Bat Roost Survey has been submitted with the application which identifies the potential for bat roosts in the existing Clubhouse which is due to be demolished. Accordingly, a Bat Emergence

Survey Report has been subsequently submitted which found the building to be utilised by low numbers of pipistrelle bats (maximum of two during surveys). The surveys have been reviewed by the Council's Ecology consultee who is satisfied that the conservation status of the bats can be maintained through suitable mitigation measures and that a license, as necessary, will be issued by Natural England (NE). The LPA must, therefore, be provided with evidence that a license has been granted or confirmation from NE that a license is not required. Such measures should be secured via condition.

3.5.26 An Oak Tree identified as T1 in the ecology report and T25 in the Arboricultural Impact Assessment (AIA) also submitted has been assessed as requiring further survey work if it needs to be removed, due to the presence of bat boxes. The tree is, however, currently confirmed as being retained. In the event of the tree having to be removed, submission of a further Bat Survey is required, prior to its removal. The survey should be secured via condition.

3.5.27 Great Crested Newts:

Survey work identified a pond in proximity to the site, to the north west. No evidence of Great Crested Newts was recorded.

3.5.28 Nesting Birds:

A condition to ensure no works to trees or shrubs during the bird nesting season (March to August inc), should be secured via condition.

3.5.29 Mammals and Amphibians:

Survey work established high value habitat to the north of the site and consequential high potential for foraging across the site. Reasonable Avoidance Measures should, therefore, be incorporated into the DCEMP condition, to guard against harm arising during demolition and construction activities.

3.5.30 Biological Heritage Site (BHS):

Part of the development falls within a BHS. Although it is accepted that parts of this BHS have been compromised by the existing football pitch to the rear of the bowling green, the increased length of the pitch proposed will result in further encroachment into the BHS. The ecology survey does, however, establish that grassland now fails to meet BHS standards with management having ceased. No objection is, therefore, offered against further encroachment into the BHS.

3.5.31 Contributing to and Enhancing the Natural Environment:

A Biodiversity Enhancement Plan should be secured via condition, in order to secure a proportionate net gain in biodiversity.

3.5.32 Trees:

An AIA and updated AIA has been submitted with the application and reviewed by the Council's Arboriculture consultee. The proposal involves removal of 2 trees and 1 hedge. No objection is offered to their removal, in

recognition of the nominal impact arising on visual amenity, when considered in context.

3.5.33 Protection of retained trees during demolition and construction, as well as submission of a landscaping / tree / shrub planting scheme, to mitigate against loss and provide for enhanced biodiversity should be secured via conditions. Construction materials and methods for the track proposed adjacent to the woodland, to the west of the site, and any necessary associated tree pruning is also recommended. Works to form the track are, however, not considered to amount to development requiring planning permission. Accordingly, Members are advised that this condition is not necessary.

3.5.34 Accordingly, the environmental impact of the development is found to be acceptable and in accordance with the requirements of Policies 9 and 40 and The Framework.

3.5.35 Highways / Access and Transport

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

3.5.36 A Transport Statement (TS) has been submitted with the application and reviewed by the Council's Highways consultee. No objection is offered.

3.5.37 The TS confirms that the existing access arrangements from Livesey Branch Road would be improved with provision of a formal kerbed bell-mouth and increased width of 4.5m at the entrance with 2m footways on both sides. Internally, the access road reverts to single width but would be widened, and include a continuous 2m footway along the north side. Street lighting would also be introduced to the access road. These proposals represent a significant improvement to the current circumstances, as measures that would adequately provide for any nominal increase in trip generation / vehicle movements, as modelled using trip data from the Trip Rate Information Computer System (TRICS) and a football pitch survey. The assessment shows that the proposal would not result in a significant change in traffic when compared to the existing situation, to the extent that it would be prejudicial to highway safety and efficiency.

3.5.38 Existing parking is not formalised. Proposed parking areas will be formalised as part of the proposal to provide marked spaces to allow better control of parking locations and site safety. A total of 47 parking spaces (including five disabled parking spaces) would be provided, dimensions of which broadly accord with the Council's adopted standards. Two motorcycle parking spaces are also proposed. Although current parking capacity is undefined, it is clear that the proposal includes a significant increase in parking within the site, sufficient for maximum forecasted demand, taking account of daytime, evening time and seasonal use of pitches, cricket nets, tennis courts and the bowling green. Use of the Clubhouse and function

facilities at capacity, would generally be outside of hours when the outdoor facilities would be in maximum use, and users would, to a significant extent, travel by non-private modes of transport, thereby limiting parking demand. The sites accessibility by walking and cycling, due to its location in relation to the community it serves, and the availability of a bus route along Livesey Branch Road, should be acknowledged in support of the application in the context of accessibility and transportation.

3.5.39 No significant change in arrangements for servicing, such as refuse collection, and deliveries associated with the Clubhouse would arise from the proposal. Vehicle movements in this regard would be during off-peak hours and would not conflict with times when trip generation would be at its highest.

3.5.40 Adherence to the aforementioned DCEMP, which would include measures to control deposits of debris onto the public highway, would guard against any significant highway impacts arising during demolition and construction.

3.5.41 The proposed modifications to existing infrastructure at the site is considered to provide an overall betterment when compared to the existing situation. Therefore, in accordance with the Frameworks direction at paragraph 111, the proposal should not be refused on highway grounds:

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

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

3.5.43 Design / Character and Appearance

Policy 11 requires a good standard of design which 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. This includes enhancing and reinforcing the established character of a locality.

3.5.44 A Design and Access Statement is submitted with application. This sets out key design principles of the development, following analysis of the surroundings.

3.5.45 The centre piece of the development would be the new Clubhouse, which would hold a position broadly corresponding with the existing but at a larger scale. The building would appear as a modern statement piece, designed to connect with the external space; principally the new MUGA and the existing cricket and football pitches to the front of the building. The ground level elevations would consist of blue / grey facing brick to both reflect the existing materials used on the site, to provide a robust and minimal aesthetic. The first floor elevations consist of vertical cedar cladding, profiled metal cladding and powder coated steel cladding creating a visual contrast to the brick below and

helping to soften the building. The Northern side of the upper level provides a multi-purpose function and dining room with a bar and food preparation Kitchen. The function room opens out to a semi covered external terrace which would provide excellent, elevated views towards the Cricket, football and MUGA pitches. The scale and materials of the building would complement and enhance the local area, and the style would be an appropriate response to the sport and recreation club setting, representing a significant improvement on the existing building. Details are extracted below, from the Design and Access Statement (SPA Architects, 2022).



3.5.46 External walling and roofing material shall be secured via condition.

3.5.47 The design of the MUGA and tennis courts is typical for the setting, including the mesh fence enclosure proposed for each, which would be powder coated in green, as extracted below (SPA Architects, 2022). Flood lighting columns would also be in green. Both should be secured via condition.



3.5.48 The cricket nets would feature a matted all weather surface enclosed by mesh netting similar to that shown below (SPA Architects, 2023):



3.5.49 Full design details of the relocated Children's Play Area are not currently available. Details should, therefore, be secured via condition.

3.5.50 Cross section and engineering details indicating existing and proposed ground levels should be secured via condition for the area into which the remodelled football pitch would extend, due to the sloping nature of site at this point.

3.5.51 Overall, the design of the development is found to be in accordance with the requirements of Policy 11 and The Framework.

3.5.52 Summary

This report assesses the full planning application for the re-development of the Sports and Recreation Ground to include demolition of existing club house and construction of new club house, multi-use games area pitch, groundsmen store, relocation of tennis courts and cricket nets, repositioned football pitch and improvements to access road and parking areas. In considering the proposal, a wide range of material considerations have been proportionately

taken into account. The assessment demonstrates that the planning decision must be made in the context of assessing the merits of the proposal balanced against any potential harm that may arise from its implementation. This report finds that the proposal 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 RECOMMENDATION

4.1 Delegated authority is given to the Strategic Director of Growth & Development and Deputy Chief Executive to approve planning permission, subject to the following conditions:

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 application received 22nd February 2023 and with the following drawings / plans / information: *(to be added)*.

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

3. Prior to commencement of the development hereby approved, a Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall include the timing and precise details of the amount of development to be implemented within each Phase of the overall development. The development shall only be implemented in accordance with the approved Phasing Plan.

REASON: To ensure the satisfactory phasing of the development and to ensure that the development is delivered in a coordinated and planned way, in accordance with Policies 8, 9 and 10 of the Blackburn with Darwen Borough Local Plan Part 2.

4. Prior to commencement of the Phase of the development confirming erection of the Clubhouse building hereby approved, as required by condition no. 3, and notwithstanding the submitted details, written and illustrative details, including colours and textures, of the external walling, roofing and window materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To ensure that the external appearance of the development is satisfactory, in accordance with Policy 11 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

5. The mesh fencing and the floodlighting columns hereby approved for the MUGA and relocated tennis courts, shall be powder coated in RAL 6005 – ‘Moss Green’ or similar.

REASON: To ensure that the external appearance of the development is satisfactory, in accordance with Policy 11 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

6. Prior to commencement of the Phase of the development confirming erection of the Clubhouse building hereby approved, as required by condition no. 3, a Sound Proofing Scheme for the building shall be submitted to and approved in writing by the local Planning Authority. The development phase shall be implemented in accordance with the approved sound proofing measures prior to its operational use.

REASON: In order to safeguard neighbouring amenity, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

7. The development hereby approved shall be restricted to the following hours of use:

- MUGA and relocated tennis courts: 08:00hrs and 22:00hrs; and
- Remodelled football pitch: 08:00hrs and 20:00hrs.

REASON: In order to safeguard neighbouring amenity, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

8. The floodlighting hereby approved for the MUGA and relocated tennis courts, shall be implemented in strict accordance with the design / mitigation measures specified in the submitted Lighting Design Specifications for each, produced by Lumenata, dated 18/11/2022. The approved design / mitigation shall be retained for the duration of the operational use of the MUGA and tennis courts.

REASON: In order to safeguard neighbouring amenity, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

9. 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.

10. The demolition and construction of the development hereby permitted shall only take place between the following hours:

Monday to Friday: 08:00 to 18:00
Saturday: 09:00 to 13:00
Sundays or Bank Holidays: No site operations

REASON: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

11. Prior to commencement of any Phase of the development hereby approved, a Demolition Construction and Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall provide for the following:

- A plan showing the areas of storage for all materials associated with construction;
- Demolition and site clearance methodology;
- The parking of vehicles of site operatives and visitors;
- An area(s) for loading and unloading of plant and materials;
- An area for the storage of plant and materials used in constructing the development;
- Wheel washing facilities, including a method statement outlining how the developer intends to use and manage the facility. The approved wheel wash shall be put in place at all vehicle access points onto the public highway when work commences and shall remain in operation throughout the period of development;
- Measures to control the emission of dust and dirt during construction;
- A scheme for recycling / disposing of waste resulting from demolition and construction works;
- Precautionary / reasonable working avoidance measures during demolition and construction, for badgers and other mammals;
- Use of protective fences, exclusion barriers and warning signs, as may be necessary.

Demolition and construction shall proceed in strict accordance with the approved DCEMP measures for the duration of those works.

REASON: In order to safeguard protected habitat; to avoid the deposit of debris into watercourses; and onto the highway, and in order to protect local amenity generally, in accordance with Policies 8, 9 and 10 of the Blackburn with Darwen Borough Local Plan Part 2.

12. Prior to commencement of the Phase of the development confirming erection of the Clubhouse building hereby approved, as required by condition no. 3, foundation methodology shall be established. Should construction works involve piled foundations vibro compaction, prior to the commencement of those works, a programme for the monitoring of noise & vibration generated during construction shall be submitted to and approved by the Local Planning Authority. The programme shall specify the measurement locations and maximum permissible noise & vibration levels at each location. At each location, noise & vibration levels shall not

exceed the specified levels in the approved programme unless otherwise approved in writing by the Planning Authority or in an emergency.

REASON: To minimise noise and / or vibration disturbance at adjacent residential premises, in the interest of ensuring acceptable levels of amenity; in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

13. Prior to commencement of the Phase of the development confirming implementation of the car parking hereby approved, as required by condition no. 3, a scheme for the provision of electric vehicle charging points shall be submitted to and agreed in writing by the Local Planning Authority. The development phase shall be implemented in accordance with the approved details prior to its operational use.

REASON: In the interests of air quality management and protection of health, in accordance with Policies 8 and 36 of the Blackburn with Darwen Borough Local Plan Part 2.

14. Demolition of the Clubhouse building shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

a) A licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2017, authorising the specified development to go ahead;

Or

b) a statement in writing from the relevant licensing body or LPA to the effect that it does not consider that the specified development will require a license.

REASON: In order to safeguard ecological assets including Bat habitat, in accordance with Policies 9 and 36 of the Blackburn with Darwen Borough Local Plan Part 2.

15. In the event that the Oak Tree identified as T1 in the Preliminary Ecological Report and T25 in the Arboricultural Impact Assessment needs to be felled, an updated Bat Survey shall be submitted to and approved in writing by the Local Planning Authority prior to felling. Any identified mitigation / avoidance measures shall be implemented in accordance with the approved details.

REASON: In order to safeguard Bat habitat, as the tree hosts bat boxes, in accordance with Policies 9 and 36 of the Blackburn with Darwen Borough Local Plan Part 2.

16. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance

and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

REASON: To ensure the protection of nesting birds, in accordance with the requirements of Policies 9 and 40 of the Blackburn with Darwen Local Plan Part 2.

17. Prior to commencement of any Phase of the development hereby approved, and notwithstanding the submitted details, a Biodiversity Enhancement Strategy for the site shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall include but not be limited to a mixed native hedgerow along the western boundary of the site adjacent to the woodland. The Strategy shall include a timetable of implementation.

REASON: In order to promote and protect ecology and biodiversity, in accordance with the requirements of Policies 9 and 40 of the Blackburn with Darwen Local Plan Part 2 and the National Planning policy Framework.

18. Retained trees within and adjacent to the site shall be protected in accordance BS 5837 for the duration of demolition, construction and engineering operations.

REASON: Trees represent a public benefit by way of visual amenity and should therefore be protected at all times, in accordance with Policy 9 and 40 of the Blackburn with Darwen Local Plan Part 2.

19. Prior to the commencement of any Phase of the development hereby approved, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, in accordance with Policy 9 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

20. Prior to commencement of the Phase of the development confirming implementation of the remodelled football pitch hereby approved, as required by condition no. 3, cross section details indicating existing and proposed land levels, as well as full engineering details of proposed land retention to the south western edge of the football pitch, shall be submitted to and approved in writing. The development phase shall be implemented in strict accordance with the approved details prior to its operational use.

REASON: In order to ensure a safe and a visually acceptable form development, in accordance with Policies 8 and 11 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

21. Prior to commencement of the Phase of the development confirming implementation of the repositioned Children's Play Area hereby approved, as required by condition no. 3, full design details shall be submitted to and approved in writing by the Local Planning Authority. The development phase shall be implemented in strict accordance with the approved details prior to its operational use.

REASON: In order to ensure a safe and a visually acceptable form development, in accordance with Policy 11 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

22. Prior to commencement of the Phase of the development confirming implementation of improvements to the access and access road, as required by condition no. 3, full construction and engineering details, including details of how the access arrangements shall interact with the neighbouring dwelling at 815 Livesey Branch Road, shall be submitted to and approved in writing by the Local Planning Authority. The development phase shall be implemented in accordance with the approved details prior to its operational use.

REASON: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

23. Visibility splays shall not at any time be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

REASON: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

5 PLANNING HISTORY

5.1 No relevant Planning history.

6 CONSULTATIONS

6.1 BwD Public Protection

Planning Application No: 10-22-1069

Address: Feniscowles And Pleasington War Memorial Recreation Ground, Livesey Branch Road, Blackburn

Description: Re-development of recreation ground to include demolition of existing cub house and construction of new club house, multi use games area pitch, groundsmen store, relocation of tennis courts and cricket nets, repositioned football pitch and improvements to access road and parking areas.

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:

Condition – New Club House Sound Proofing

A sound proofing scheme shall be agreed in writing with the local planning authority (LPA) for the new club house building. The approved scheme shall be implemented prior to commencement of the new club house 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 new club house.

Comment – Hours of Use Restriction for New Club House

The new club house hours of use should be restricted in accordance with any existing hours of use restriction to prevent additional late night disturbances arising from entertainment events & customer noise.

Condition – Hours of Use Restriction for new MUGA & relocated football pitch/tennis courts

The hours of uses hereby permitted shall be limited as follows:

- Football Pitch: shall operate between the hours of 09:00 - 18:00hrs.
- Tennis Courts and MUGA: shall operate between the hours of 09:00 – 21:00hrs.

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

Condition – Floodlighting

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.

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 E2: Low district brightness area.

Condition - Unforeseen Ground 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.

NOTES FOR PLANNING

When a condition is recommended by the Environmental Protection Team to be attached to the consent, guidance should be sent out to the applicant outlining how this condition should be addressed. The guidance is also available on the website:

www.blackburn.gov.uk/upload/pdf/Contaminated_Land_Guidance.pdf

www.blackburn.gov.uk/upload/pdf/Validation_Policy_Document_FINAL.pdf

It should be made clear that it is the responsibility of the developer to undertake an adequate risk assessment of the site, and to propose measures to ensure that these risks are appropriately addressed for the safe development of the site. The developer is also responsible for ensuring that appropriate competent professional advice is available. Those providing expert advice to developers should be aware of the future reliance that may be placed on it.

If requested, and where appropriate, written confirmation that parts, or indeed all, of the condition has been satisfied should be provided by the Head of Planning after consultation with the Environmental Protection Team. Some conditions should be ongoing, however, where there is no obvious end point, for example where ongoing monitoring of contamination or of the continued integrity of a remedial scheme is necessary. Any such written confirmation should be provided, clearly stating which part(s) of the condition have been satisfied. Also, it should be stated that "the decision as to whether the condition has been satisfied has been taken by the Head of Planning on the basis of the information supplied by the developer. However, this does not mean that the land is free from contamination", and that "the responsibility for the safe development and secure occupancy of the site rests with the developer".

Condition – Air Quality (Small 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.

Construction Phase Control Conditions

Condition – Hours of Site Works

There shall be no site operations on any Sunday or Bank Holiday nor on any other day except between the following times:

Monday to Friday 08:00 – 18:00 hours

Saturday 09:00 - 13:00 hours

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

Reason

To ensure appropriate hours of site work to minimise noise during the construction phase.

Noise & Vibration Control

Condition

Should pile driving be required on site, the commencement of the development shall not take place until there has been submitted to and approved in writing by the Planning Authority a programme for the monitoring of noise & vibration generated during demolition & construction works. The programme shall specify the measurement locations and maximum permissible noise & vibration levels at each location. At each location, noise & vibration levels shall not exceed the specified levels in the approved programme unless otherwise approved in writing by the Planning Authority or in an emergency.

Reason

To minimise noise/vibration disturbance at adjacent residential premises.

Floodlighting Control (Construction Phase)

Condition

Should floodlighting be required on site a scheme shall be submitted to and approved in writing by the Local Planning Authority before the development commences. Floodlights shall be installed in accordance with the agreed scheme and retained for the duration of the works.

Reason

To minimise potential loss of amenity due to intrusive light pollution affecting residents living in the vicinity.

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 E2: Low District Brightness Area.

Informative - Construction/Demolition Noise

All activities associated with the construction/demolition works shall be carried out in accordance with British Standard 5228: Code of Practice for Noise & Vibration Control on Construction & Open Sites – Parts 1 and 2.

Informative – Asbestos Control

The application site demolition works must not cause a public health risk arising from any asbestos containing materials at the site. Full compliance with the Control of Asbestos Regulations 2012 and British Standard (BS) 6187: 'Code of practice for full and partial demolition' is essential.

6.2 BwD Drainage (as Lead Local Flood Authority)

LLFA Position:

We have no objections to the proposals, but require the following condition.

Condition 1:

No above ground works shall take place until a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- i) Separate systems for the disposal of foul and surface water;
- ii) Details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development discharge rate does not exceed the pre-development rate (incorporating a climate change allowance of 40%);
- iii) Details of any necessary flow attenuation measures, including the use of SUDS where appropriate;
- iv) Details of how the scheme will be maintained and managed after completion; and
- v) A timetable for implementation, including details of any phased delivery.
- The duly approved scheme shall be implemented before above groundworks are commenced, or within any other timescale first agreed in writing with the Local Planning Authority.

Reason:

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

6.3 BwD Arboriculture Officer

Received – 16/12/2022

Proposal: Re-development of recreation ground to include demolition of existing cub house and construction of new club house, multi-use games area pitch, groundsman store, relocation of tennis courts and cricket nets, repositioned football pitch and improvements to access road and parking Areas.

Location: Feniscowles And Pleasington War Memorial Recreation Ground, Livesey Branch Road, Livesey, Blackburn, BB2 5EG

Designations:

TPO. Old. 80. W1 Preston Old Road,

Policy 9. Development and the Environment.

Assessment:

I have inspected the site and considered the AIA and potential impacts on trees to the north and west, subject to the above TPO.

The following is taken from the executive summary of the AIA

The proposed track to the west side of the multi-use pitch will encroach into the edge of the woodland and some root protection areas (RPA).

*The development of the site will involve the remodelling of the site entrance, community sports hub, car parking and football pitch. With the construction of new multi-use games area, tennis courts and cricket nets which **will require the removal of 2 existing trees and 1 hedge**. In the absence of suitable controls, also has the potential to have an indirect impact on a number of the trees proposed for retention. Mitigation for the impact of the development can be provided in the form of the following: • The erection of protective fencing in advance of the commencement of the development to safeguard the root systems of retained trees; and • The use of geotextiles and a 'no-dig' construction methodology where proposed hard surfaces overlap with root protection area; and • Arboricultural site supervision where works are proposed within and immediately adjacent root protection areas. Compensation for the impact of the development, together with landscape and biodiversity enhancements can be achieved by way of the following: • The planting of trees, shrubs and where applicable hedges as part of a comprehensive landscape scheme to replace any vegetation lost and to integrate the development into the wider landscape; and • The use of a mixture of native and ornamental species within planting schemes, where those species are suited to the site and local landscape.*

T1 Ash and other vegetation consisting of an informal hedge would be removed to facilitate the proposed layout.

The AIA section 6.0 Tree Protection, includes the following - *preliminary recommendations for the physical protection of retained trees throughout the construction phase.*

Tree protection detailed in the AIA appears suitable for the construction.

Conclusions:

The proposals require minor tree and hedge loss and which would not lead to any notable loss of amenity.

The proposals would benefit from some tree and shrub planting along the woodland edge. This would create enclosure and improve woodland biodiversity.

Native understory planting, such as Holly, Hazel, Hawthorn and Rowan would be suitable.

Section 7.0 in the AIA states the following -

7.2 On the basis of the above and the contents of this report, we do not consider the production of an Arboricultural Method Statement necessary at this stage. The erection of tree protection fencing in advance of the commencement of the development, ensuring it is retained in-situ throughout the entire construction phase, with works carried out carefully within the influencing distance of retained trees, should ensure no particular adverse impact on retained trees from the proposed development.

A separate tree protection condition would be more appropriate and which may be based upon or replicate the tree protection details included in the AIA as appropriate.

Recommendations:

The following conditions would be appropriate with any approval of the application.

- A condition for construction materials and methods for the track on the edge of the woodland. Including a schedule of pruning
- A landscape condition for a mixed native hedgerow along the boundary of the woodland.
- A condition for tree protection, to include, location, type of fencing.

David Thornber
Arboricultural Officer.

Received 2/06/2023
Assessment:

The following additional information has been added to the amended AIA in 8.0 Conclusions & Recommendations

'An additional area of woodland was assessed in January 2023 and had been added to the tree survey drawing P.1652.22.01B Tree Survey.

Findings of the assessment of trees within this area along with work recommendations and timings can be found in Appendix 1 of this report.

It is important to note that the trees within this area were sight plotted as no topographical plan of this area was provided. Therefore, locations are approximate. In addition to this the detailed close-up inspection of some trees was not possible due to health and safety risks associated with the very steep terrain beside a main road.

Subsequent surveys of this area should be undertaken following the precise plotting of tree locations on a topographical plan and risk assessed tethered working methods to allow the close inspection of those trees located on the steeper sections of the slope'.

The proposed new multi-purpose games and access path is located adjacent to the main body of woodland. Several adjacent are sight plotted and tree protection and special surface measures applied as per the AIA. It appears these trees are accurately sight plotted as these were assessable, unlike trees in the steep woodland slope.

It appears the amended document is referring to trees in the main body of the woodland with steep terrain to enable an accurate safety survey to take place as required.

It would be prudent to survey trees within the vicinity of the proposed access track in the interests of safety, particularly to the north end of the proposed access path, which is in the vicinity of AG1. This could potentially lead to some tree works including removal if trees are deemed not to be acceptably safe.

I have re-visited the site and I do not consider this could potentially lead to any notable loss of tree cover which could impact on the visual amenity of the area.

Conclusions:

It would be desirable not to encroach close to mature woodland, however I do not consider the proposed layout would be detrimental to the woodland amenity. Further to this new planting on the periphery, as suggested in my previous response, can mitigate against potential impacts and provide screening and a buffer to the woodland.

6.4 BwD Highways

The application seeks consent for Re-development of recreation ground to include demolition of existing club house and construction of new club house, multi-use games area pitch, groundsmen store, relocation of tennis courts and cricket nets, repositioned football pitch and improvements to access road and parking areas.

Parking

The scheme received proposes an increase to the parking provision currently provided. The total number of spaces when measured against the adopted parking standards, would concur with the figures as set out in the Transport Statement, albeit the use classes used to assess the parking requirement would differ to those that the highway authority would reference.

The assessment for increase parking in association with pitch areas amounts to a total of 34 spaces (based on 12 spaces per hectare), the increase in floorarea for the function room, which results in an additional 643sqm would generate an additional allowance of 24 spaces. This would bring the cumulative figure to 58. 47 Parking spaces have been provided (this includes 5 disabled spaces), this is deemed acceptable in light of the sustainability of the site from other modes of transport (walking, cycling, public transport).

Provision has been made available for ptw parking, this is accepted, there is however no provision for cycling parking, please request details to be provided (or condition accordingly) this should be sited near the entrance of the function room, covered and secure.

Access

There is an existing vehicular access from Livesey Branch Road into the site. It is recognised that the access apron is in a dilapidated state, this together with the potential of increased movement, the applicant has provided a site access details to reconfigure this entrance to a radius fully formed bellmouth entrance.

This is acceptable, however there is the matter of how the access to No, 815 Livesey Branch Road will be set out. The current access is shared with the access to Feniscliffe Recreational Ground.

The Access Road is quite narrow, this is proposed to be widened, incorporating passing places, and an introduction of a footway on one side. These improvements are welcomed, however we would request details of the site access and road are provided for approval, this includes details on how the existing pedestrian access from Princess Gardens would link into the access road.

I would request a condition is attached for both the site access and access road, details are to be submitted for approval.

Servicing

A swept path drawing has been provided, showing a 3 axle refuse vehicle travelling into, turning and leaving the site. The vehicle tracking shows the vehicle would require the full width of the access road. We would expect this vehicle to visit the site once or twice a week and therefore the impact will be minimal.

There are however no details appertaining to service vehicles/deliveries associated with the Function room to the site, or any demonstration of their route in and out of the site. This should be provided. On review of the plans we expect there to be a

tuning space to aid service vehicles turning near the end of the 21 spaces car park, please request consideration of this.

No details on the frequency of movement have been offered.

All of the above with regards to servicing, should be received for formal review.

Transport Statement

This has been reviewed, the trips associated with the proposal do not represent a harmful impact upon the network. The peak trip movements are primarily in the evenings and weekends and would not adversely affect the highway. The many uses within the site which would need to be managed by the facility to ensure the car parking in association with the different uses is co-ordinated to ensure Livesey Branch Road is not impacted upon by the visitors.

To conclude, in principle would have no objections, subject to the above matters being satisfactorily addressed/conditioned?

OTHER

Standard matters applicable to all applications, please consider:

- Construction method statement is to be received for approval, please condition.
- new and renewed footways surrounding the site, all costs to be Borne entirely by the developer
- street furniture affected by development should be removed and relocated where necessary at location to be agreed by highways officer - all costs to be borne by the developer

Please note: Prior to the commencement of any works that affect or adjoin the adopted highway – contact is to be made with the local highway authority.

Please attach standards conditions/Informatives: Highways, 1, 2, 3, 4, 8, 10, 11, 14, 15 and 17

Saf Alam – 3rd August 2023

6.5 GMEU Ecology

Received – 2/12/2022:

Thank you for consulting the GMEU

Summary

Further bat and great crested newt surveys are recommended prior to determination. The development will also result in further damage to a Biological Heritage Site. Ecological mitigation should be provided.

Bats

A valid bat report has been provided. This found evidence of bats in the main clubhouse and assessed the score board building as moderate risk. Further emergence surveys have been recommended. These do not appear to have been

provided but given the assessment was last April may have occurred during the last survey season.

Without this information we cannot determine the importance of the confirmed roost therefore we are unable to make an informed decision on what level of mitigation may be required in order to safeguard the conservation status of the bats and whether or not such mitigation is feasible. We also have insufficient information on the moderate risk building as current guidance states it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision (UK Government Guidance within the ODPM Government Circular 06/2005)

Therefore prior to determination further survey information should be provided. I therefore recommend that building 1 is regarded as high risk and subject to three dawn and or dusk surveys at least two of which are during the peak activity season and building 2 subject to two surveys. As such surveys cannot commence until April 2023 the applicant may wish to withdraw and resubmit in March enabling the surveys to be provided during the consultation period.

Tree T1 in the ecological report and T25 in the arb report an oak has also been assessed as requiring further survey if it need to be removed due to the presence of bat boxes. It is currently shown as retained on the arboricultural report. I recommend a condition along the following lines is applied to any permission.

The removal of tree called T1 (T25 in the arb report) an oak may have the potential to cause harm to bats due to the presence of bat boxes and shall not in any circumstances occur unless a further bat survey has been provided to and agreed in writing by the local planning authority

Great Crested Newts

As for bats further surveys have been recommended of the pond on site. I agree as there is a historic record on our system for great crested newts associate with the BHS, though it is not clear which pond the record is from and they could well now be extinct given the record is from 1984.

Therefore prior to determination further survey information should be provided. Again such survey cannot occur until April 2023 and the applicant may need to withdraw.

Nesting Birds

Trees and shrubs will be lost potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. I recommend a condition along the following lines be applied to any permission.

No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been

carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Mammals and Amphibians

Whilst no badger, hedgehog or other wildlife was confirmed as present, the consultant has noted the risk of other wildlife being harmed accidentally during site clearance and construction. Whilst the habitats to be removed appear low risk in terms of providing cover, given the proximity to high value habitats to the north, foraging across the site at night cannot be totally ruled out. I therefore accept that basic reasonable avoidance measures are proportionate. I recommend a condition along the following lines.

Prior to any vegetation clearance, demolition or earthworks a reasonable avoidance measures method statement for mammals and amphibians for the site clearance and construction phases will be provided to and agreed in writing by the LPA

Biological Heritage Site (BHS)

Part of the development falls within a BHS recorded in the report as Queen Elizabeth II Jubilee Biological Heritage Site, though recorded on our system as Moulden Banks BHS. It is notable that large parts of this BHS have already been damaged to the south and that a football pitch was constructed in the BHS between 2013 and 2015. The development will extend the existing football pitch further into the BHS.

The consultant notes that the remaining grassland is failing to meet BHS standards with management have ceased and the grassland become species poor. Therefore, whilst we would normally object to development in a BHS, given the loss of large parts of this BHS has already occurred due to development and neglect, this is also an opportunity to safeguard the remainder of the BHS through requiring appropriate management as mitigation for the loss of a further small area of grassland. See below.

Contributing to and Enhancing the Natural Environment

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development will result in the loss of a small area of currently species poor neutral grassland, that is part of a Biological Heritage Site. There will also be a loss of low value grassland (also in the BHS but currently a football pitch) to artificial surfacing. There is also a loss of trees and loss of bat roosting and bird nesting habitat.

Mitigation can be achieved on site, through enhancement of the retained grassland and provision of bird and bat boxes.

I recommend that prior to determination commitment is sought from the applicant to reintroduce annual cutting and removal of the arising of the remaining BHS grassland under the landowner control and that it will be demonstrated through a biodiversity net gain metric that 10% net gain will be achieved.

Exact details of bat and bird mitigation (and potentially amphibians) can be determined once the findings of the bat and gcn surveys have been provided.

Received 20/07/2023

Thank you for consulting the GMEU

Bats

The additional bat surveys during the peak activity season have confirmed that the buildings are utilised by bats but only by low numbers of pipistrelle bats (maximum of two during surveys). I am satisfied that adequate survey has occurred. Given the low numbers of bats recorded and the species, I am satisfied that the conservation status of the bats can be maintained through suitable mitigation measures and that a license will be issued by Natural England. I therefore recommend a condition along the following lines is applied to any permission.

The demolition of the clubhouse is likely to cause harm to pipistrelle bats as identified in the bat emergence survey report and shall not in any circumstances commence unless the local planning authority has been provided with either:

*a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead: or
b) a statement in writing from the relevant licensing body or LPA to the effect that it does not consider that the specified development will require a license*

Great Crested Newts

The pond was surveyed utilising eDNA, no evidence of great crested newts was recorded. I have no reason to doubt the findings of the report. No further information or measures are required.

All other recommendations of the 2nd December 2022 relating to the bat boxes on T1, nesting birds, reasonable avoidance measures for mammals and amphibians, the BHS and contributing to and enhancing the Natural Environment still apply

David Dutton
Ecologist

6.5 United Utilities

Having reviewed the application and supporting documentation, United Utilities wish to make the following comments in respect of this planning application.

UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE
Wastewater pipelines

OBJECTION PENDING REQUEST FOR FURTHER INFORMATION

Following our review of the proposed site layout, we have concerns regarding the proximity of proposed development to our rising main. To demonstrate that this layout can be achieved, and to avoid any unnecessary costs or delays to either the applicant or any future developer, we request the applicant submits a detailed site layout plan which overlays the proven location of the sewer in relation to any proposed development (including walls, fencing, parking etc.). We strongly recommend this matter is resolved **PRIOR TO THE SCHEME BEING DETERMINED**.

Without resolution of this matter before determination, our position must be to **OBJECT** to the proposal. The applicant should contact our Developer Services team to discuss. See Contacts Section below.

Should planning permission be granted without resolution to our objection, which we do not recommend, we request the following condition is included in the subsequent Decision Notice to afford appropriate protective measures for this asset:

CONDITION 1: Asset Protection with Diversion

No development on the construction phase shall commence until details of the means of ensuring the wastewater assets that are laid within the site boundary are protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing.

The details shall include a survey that identifies the exact location of the assets, the potential impacts on the assets from construction activities (including the construction compound), the potential impacts post completion of the development and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the assets both during construction and post completion of the development.

The details shall include a pre-construction condition surveys. Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.

In the event that the survey of the assets identifies the building as within the prescribed standoff either side of the water asset, the developer shall submit evidence to the Local Planning Authority that a diversion has been agreed with the relevant statutory undertaker and that the approved works have been undertaken prior to the commencement of development. Upon completion of the works, a post completion condition survey shall be submitted to and approved by the Local Planning Authority in writing.

Reason: In the interest of public health and to ensure protection of the public water supply.

DRAINAGE

REQUEST FOR ADDITIONAL INFORMATION

We request the applicant submits a drainage plan outlining the proposed levels (including finished floor levels and ground levels) shown in metres above Ordnance Datum and an indicative foul and surface water drainage strategy (including cover and invert levels).

It is our recommendation this information is submitted for our review so that any risk of sewer surcharge can be further assessed. The applicant should note that it may be necessary to raise finished floor and ground levels and / or include mitigation measures to manage the risk of sewer surcharge.

On receipt of the above information, we will be able to provide further comment. The applicant can discuss any of the above points with our advising Developer Engineer, **Ashleigh Bellerby**, by email at wastewaterdeveloperservices@uuplc.co.uk.

In the absence of detailed drainage strategy, we request the following drainage condition is attached to any subsequent approval:

CONDITION 2: Foul and Surface Water Drainage

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;*
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);*
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;*
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and*
- (v) Foul and surface water shall drain on separate systems.*

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewerage Sector Guidance Appendix C – Design and Construction Guidance v2-2' dated 29 June 2022 or any subsequent iteration. This is important as drainage design can be a key determining factor of site levels and layout.

Acceptance of a drainage strategy does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development. You may find the condition below a useful example.

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and*
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.*

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

WATER AND WASTEWATER SERVICES

If the applicant intends to receive water and/or wastewater services from United Utilities, they should visit our website or contact the Developer Services team for advice. This includes seeking confirmation of the required metering arrangements for the proposed development.

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the arrangements will be suitable for the new proposal.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20212022/> and go to section 7.7 for compulsory metering.

6.6 Public consultation

195 letters were posted to the local community on 22nd November 2022, site notices were also displayed and a press notice published. 2 objections and 1 general comment were received; see Summary of Representations (Section 9.0). In addition, Livesey Parish Council were consulted on the 22nd November 2022, no representations have been received from the Parish Council.

7.0 CONTACT OFFICER: Nick Blackledge – [Principal Planner].

8.0 DATE PREPARED: 4th August 2023.

9.0 SUMMARY OF REPRESENTATIONS:

Objection – David Fothergill, 19 Coronation Avenue, Blackburn, BB2 5EL. Received: 28/11/2022.

Dear Sir, I wish to register my concern regarding the above planning application. In general I am not opposed to the application but I am seriously concerned about the extra traffic, particularly the extra parking that will be required. Currently there is major congestion on Livesey Branch Road caused whenever there is a major social event or sports competition taking place on the site, as many people have to park on the main road when the limited parking spaces are full. Once all the new houses currently under construction on the site of the old paper mills are occupied it is certain that some of the residents will use the facilities offered by the sports and social club causing even more pressure on parking facilities. Livesey Branch road is already an extremely busy road, especially when the nearby M65 motorway is closed and the diverted traffic uses the road to by-pass the closed section and unless additional parking is provided for on the site then the problems and danger already in place can only get worse. Motorists may be tempted to park on the roads on the adjacent housing estate where the roads are already congested with residents vehicles and as most of the estates roads are very narrow this will cause complete congestion and disruption. I, and no doubt many other local residents, must request that you give major attention to ensuring that additional parking is required before any permission is given to carry out the re-development of the site as a whole. If not then it will only be a matter of time before someone is injured or even worse as a result of an accident with a vehicle.

Objection – Mr Taylor, 21 Tintagel Close, Blackburn, BB2 5JN. Received: 06/12/2022

Thank you for your prompt response. After careful consideration of the plans viewed to date it has caused concern within our family household on several issues.

1. Without being told the distance from the end of the new extended pitch to tintagel close and the 3m fence that is suggested to surround this pitch it has caused us to worry about the sight of the fence from our property. Confirmation of the distance would be of great help to understand the full nature of what we may have to look at.
2. Also if the pitch was to be extended as suggested how much noise pollution would that cause tintagel residents?
3. Is there a suggested timescale of when this pitch would be used, weekends, mornings, nights etc to avoid unnecessary noise for residents?
4. On the understanding that the club was allowed to purchase the land attached to tintagel for heritage purposes only, how do these plans fall within the scope of allowance for altering heritage land from its natural greenery?
5. In the plans it notes the relocation of the tennis courts with the installation of 5m high flood lights. Again that would suggest light pollution and greater noise pollution to tintagel residents. How have the plans taken in any consideration of this?
6. If the club house is to be come a two storey building again noise and light pollution will affect Tintagel residents. How do you propose this will be avoided?

On receipt of answers to the above questions, we will have to give serious consideration as to our objection to these plans.

Tintagel close is a small quiet residential area which we believe should be given great thought and consideration prior to any further movements forward on these plans.

Also I feel it is important to point out that within a mile of so of these proposals there is witton park that has all these facilities and more contained within the park and hence the question must be asked as to why further facilities are now needed here

A quick response would be very much appreciated

Comment – Mr Mark Hodgson & Mrs Harriet Hodgson, 818 Livesey Branch Road, Blackburn. Received: 12/12/2022

Having been notified of the proposed re-development of Feniscowles and Pleasington War Memorial Recreation Ground (ref 10/22/1069) my husband and I have viewed the plans on your website and are supportive of the proposed re-development with only two concerns. We would question why the childrens play area has been moved further from the main clubhouse as this makes it harder for parents enjoying the facilities to simultaneously supervise their children, leaving us concerned that children may use the equipment unsupervised. Perhaps switching the proposed positioning of the play area with the cricket nets would be a solution?

We live directly opposite the site at 818 Livesey Branch Road and already suffer from the inappropriate and often illegal parking on the main road near the school. With this new facility being undoubtedly popular with the local community and others from further afield it will no doubt bring with it an increase in traffic to the area. We question whether there is sufficient parking in the planning application to accommodate this rise in vehicular traffic. In addition to an assessment of the proposed parking provision we would like to see the current parking restrictions on Livesey Branch Road enforced and if necessary enhanced.
