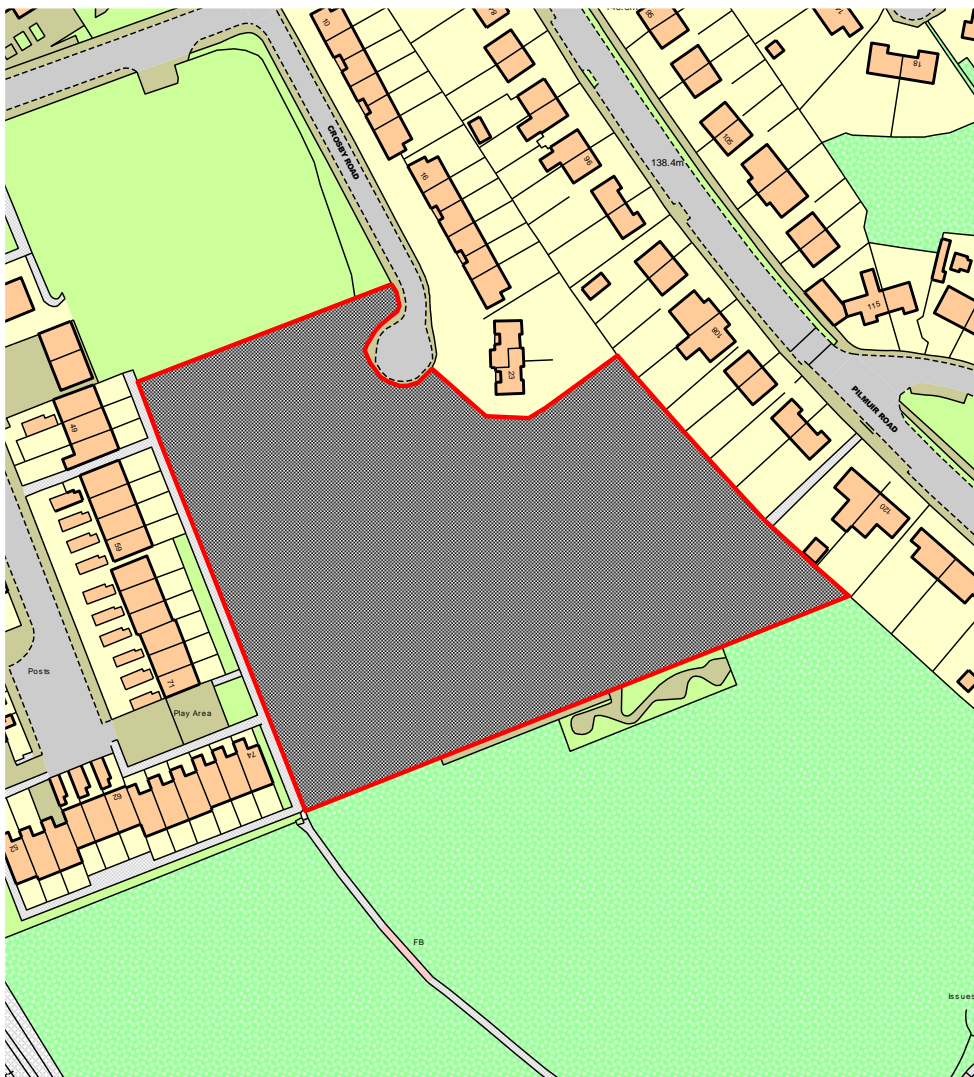


Proposed development: Variation/Removal of Condition/Minor Material Amendment for Variation of Conditions 2 (approved drawings), 8 (parking), 20 (EV charging) and removal of conditions 7 (site access) and 9 (closure of existing access) pursuant to application 10/21/1202 "Erection of single storey nursery building" - Reduction in height of building, replace side bi-fold door with a window, install cowls to roof, formation of new play area, parking layout changes and erection of decking / ramped access to rear and side elevations

**Site Address:
Longshaw Infants School
Crosby Road
Blackburn
BB2 3NF**

Applicant: Longshaw Infants School

Ward: Blackburn South East



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE, subject to the conditions recommended within Paragraph 5.1.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 This planning application is submitted under the provision of section 73 of the Town and Country Planning Act 1990, pursuant to approval for the erection of a single storey nursery building at Longshaw Infant School under planning ref. 10/21/1210. The application is before the Planning and Highways Committee, in accordance with the Scheme of Delegation, as a proposed amendment to the original planning application, which was determined by Committee at the 17th November 2022 meeting.
- 2.2 The application involves various minor material amendments seeking to vary previously approved drawings (set out in condition no.2 of the original approval) for external alterations to the building and site layout changes. The proposal also seeks to vary the wording of conditions 8 (car park) and 20 (EV charging scheme). In addition, conditions 7 (scheme for construction of site access) and 9 (closure of the existing access) on the original approval as the amendments to the proposals are such that these conditions are no longer deemed necessary.
- 2.3 The principle of the proposed nursery build was established as acceptable through the original planning application process, accounting for the delivery of a key public facility which would not conflict with the wider green infrastructure allocation at this site. The key issues in the assessment of the application were safeguarding residential amenity from potential noise impacts associated with the use and ensuring no detrimental highways safety impacts to the surrounding road network. In summary, the proposal remains satisfactory from a technical point of view, with all issues having been addressed through the previous application, or capable of being controlled or mitigated through the conditions that remain attached to the planning approval.

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1 The application site relates to Longshaw Infant School which is positioned at the end of the cul-de-sac on Crosby Road, within the Blackburn Urban boundary and on the border of the Inner Urban settlement boundary. The school grounds itself comprise of large linked building, a small front car park and several surrounding hard-surface and grassed play areas. The proposal site is positioned in the north-western part of the school which is currently subject to soft landscaping (grass) and has two oak trees present. The existing Longshaw Nursery School is situated over 100m away to the north of the Infant School.

3.1.2 Residential dwellings are located immediately east and north-east of the school on Crosby Road and Pilmuir Road and to the west on Peel Close. Beyond Peel Close sits a railway corridor which is largely surrounded by trees and scrub. To the north adjoining the grounds of the school is an area of open grassland which previously occupied Longshaw House, a home for older people. A large green area consisting of scattered trees, scrub and grassland is located to the south and separates Longshaw Infant School and Our Lady of Perpetual Succour Church and Primary School.



Figure 1: Google aerial view of the application site

3.2 Proposed Development

3.2.1 As detailed above, the application is submitted under Section 73 of the Town and Country Planning Act 1990. The current application seeks to amend condition 2 (approved drawings) of the full planning application to allow for alterations to the building and site layout changes as listed below;

- Reduction in the height of the building by 450mm from 6.2m originally to circa 5.75
- Replacement of bi-fold door within side (north) elevation to a window
- Installation of cowls to the roof
- Erection of two wrap-around small decking areas to rear and side elevations to provide ramped access to outdoor areas
- Formation of new Age 2 playground to the south-western corner of the site
- Removal of new site access / exit and utilise existing arrangements together with parking layout alterations

3.2.2 The figures below show the revised floor plan, elevations and site layout which demonstrate these alterations.

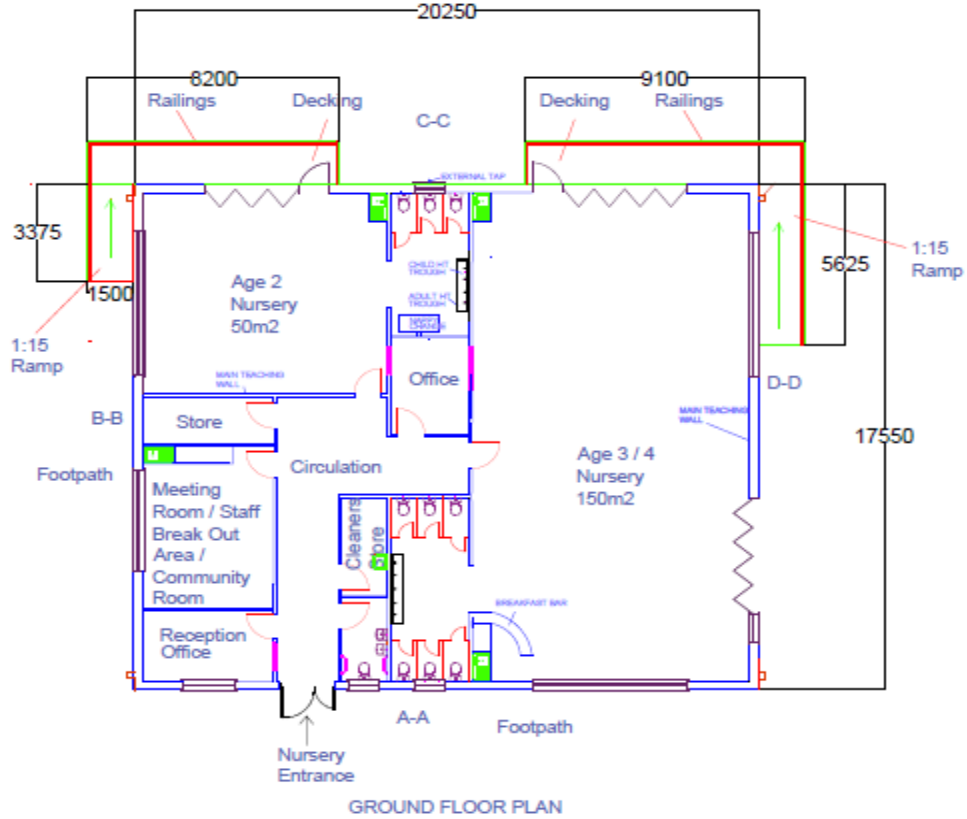


Figure 2: Proposed Floor Plan

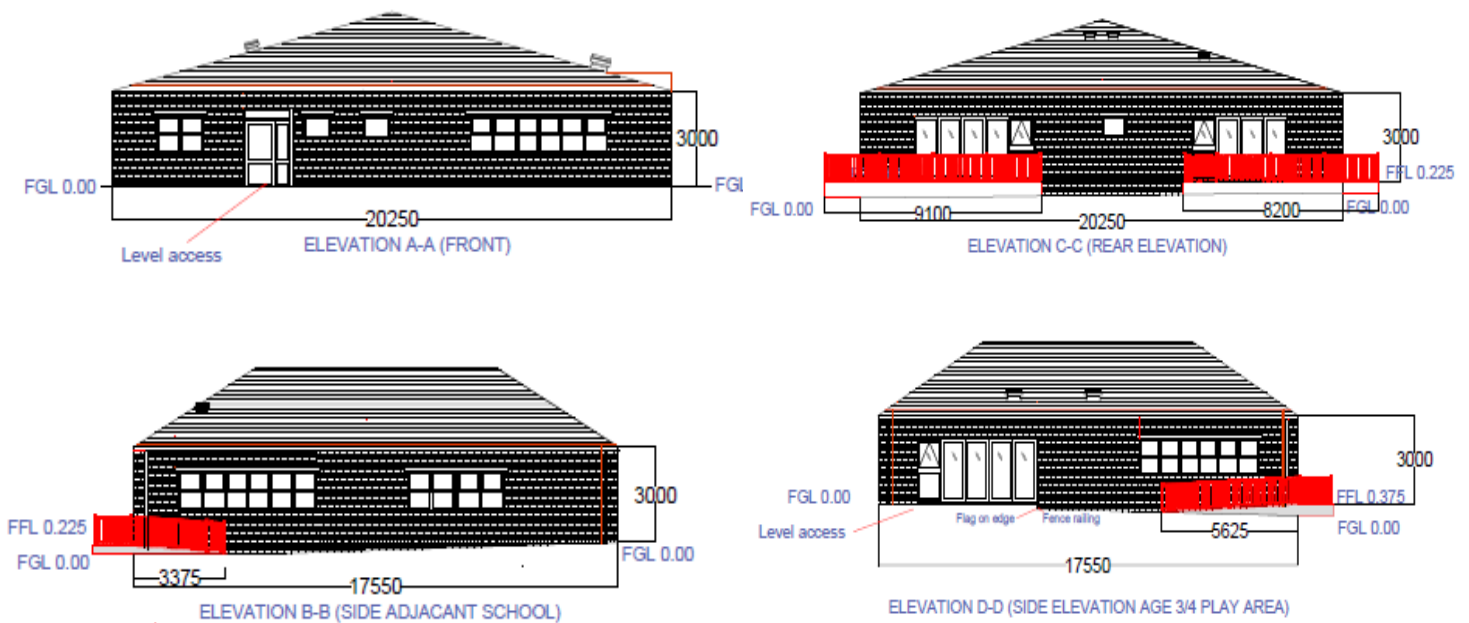


Figure 3: Proposed front (east) and side (south) elevations (left). Proposed rear (west) and side (north) elevations (right).

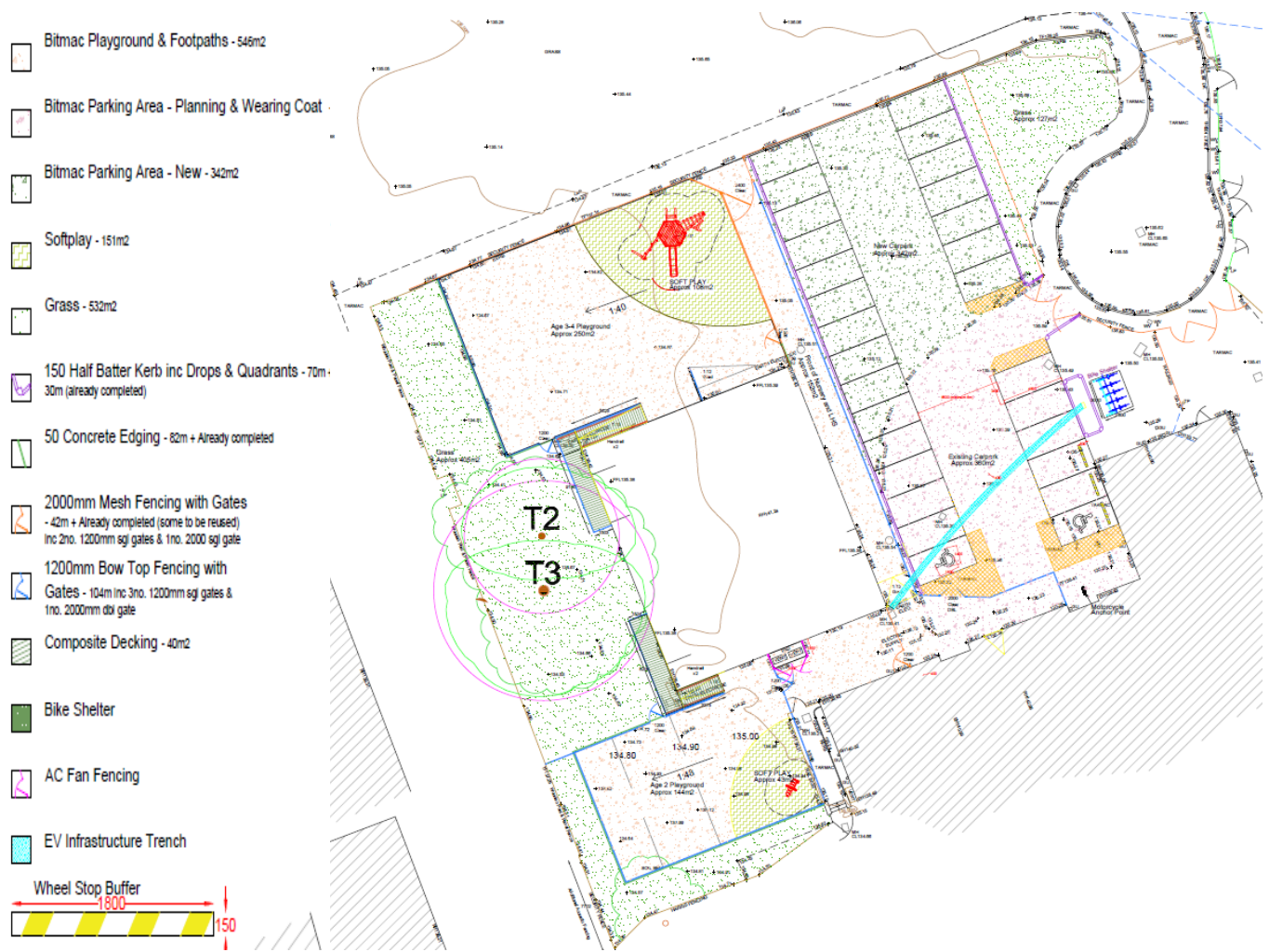


Figure 4: Proposed Site Plan

3.2.3 The proposal also seeks to amend the original permission granted for the single storey nursery building (ref. 10/21/1210), by way of a variation to the following conditions (nos. 8 & 20). This is to reflect the new changes to the parking layout and to install the EV charging infrastructure prior to occupation of the use with a charge point brought forward at a later period;

8. The development hereby approved shall not be brought into use unless and until, the car parking scheme as detailed on the approved Proposed Site Plan, 'Drawing No. 4279 / XA05 003, Rev C' has temporarily been constructed, and laid out. The final Bitumous Macadam hard surface with thermoplastic markings should then be constructed either in the February or Easter School Holidays 2023 unless otherwise agreed in writing by the Local Planning Authority.

REASON: To allow for vehicles visiting the site to be parked clear of the public highway, and to assimilate the new car parking areas in their surroundings in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

20. *Prior to their installation, a scheme for the provision of an electric vehicle charging point within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented within the first six months of occupation 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.

3.2.4 It is also proposed to remove conditions No's. 7 & 9 on the original approval as they are no longer deemed relevant to the consent given amendment to the site access arrangement:

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

REASON: To provide for the safety and convenience of users of the highway, for the free flow of traffic, and to safeguard the amenity of neighbouring premises in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

9. Prior to occupation or use of the development hereby approved, a scheme detailing the closure of the existing access shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the existing access being physically and permanently closed; and the existing footway and kerbing of the former crossing being reinstated. The development shall be implemented in accordance with the approved details within 6 months of the formation of the new access or following the completion of the final hard surfaced car park.

REASON: To ensure the safe, efficient and convenient movement of all highway users in accordance with Policy 10/11/40 of the Blackburn with Darwen Borough Local Plan Part 2.

3.3 Case Officer Photos



3.4 Development Plan

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

3.4.2 The 'Development Plan' comprises the adopted Core Strategy DPD (2011) and adopted Local Plan Part 2 – Site Allocations and the Development Management Policies (2015). The following policies are considered relevant in assessment of the proposed development;

3.4.3 Core Strategy

- Policy CS1 – A Targeted Growth Strategy
- Policy CS11 – Facilities and Services
- Policy CS16 – Form and Design of New Development

3.4.4 Local Plan Part 2

- Policy – 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 38 – Green Infrastructure

3.5 Other Material Planning Considerations

3.5.1 National Planning Policy Framework (NPPF) (July 2021)

The Framework sets out the government's aims and objectives against which planning policy and decision making should be considered. The following sections of the Framework are considered relevant to assessment of the proposal:

- Section 2: Achieving sustainable development
- Section 12: Achieving well-designed places
- Section 15: Conserving and enhancing the natural environment

4.0 ASSESSMENT

4.1 When assessing this application there are a number of important material considerations that need to be taken into account. They are as follows:

- Principle of Development
- Residential Amenity
- Design/Visual Amenity
- Highways
- Environment
- Air Quality

4.2 Principle of Development

4.2.1 The principle of the development has already been established through the assessment and granting of planning permission under planning ref. 10/21/1210. Assessment of this application is strictly limited to the proposed amendments and re-wording / removal of conditions attached to the original planning approval.

4.3 Residential Amenity

4.3.1 Policy 8 requires development to contribute positively to the character of the area and to secure a satisfactory level of amenity and safety for occupants or users of the development itself and for surrounding uses; with reference to loss of light, privacy/overlooking, noise, nuisance, pollution, contamination, and the relationship between buildings.

4.3.2 The proposal to reduce the height of the building by approximately 450mm will result in an improvement to the living conditions of the properties directly to

the west on Peel Close. This is by virtue of appearing as a less dominant structure when viewed from the rear windows of these adjacent dwellings given the lowered height of the building from the original proposals. The other minor amendments for the door to window replacement, installation of cap cowl and proposed decking additions pose no undue concerns to neighbouring residential amenity.

- 4.3.3 A new playground area for 'Age 2 children' is proposed to be introduced adjacent to 61 and 63 Peel Close. Conditions on the original approval were added to mitigate potential noise concerns with the external play areas by virtue of installing an acoustic barrier on the boundary between those properties adjacent on Peel Close and to limit the number of children using the play areas at any one time.
- 4.3.4 The new play area will not lead to greater noise nuisance than that which could have been caused by the general outdoor playing activities from the previously positioned play area directly in front of the rear elevation of the building. Additional acoustic fencing, spanning 7.7m along the western boundary to the south will provide greater protection from any detrimental impacts from the 'Age 2' Play area. The height of the fencing is not considered to result in unduly harmful amenity affects to the neighbouring ground floor dwelling windows in terms of loss of light, dominance.
- 4.3.5 On balance, subject to compliance with the relevant conditions, the proposed development is not considered to be excessively detrimental upon surrounding amenity, and thus accords with Policy 8 of the Local Plan Part 2 (2015).

4.4 Design/Visual Amenity

- 4.4.1 Policies CS16 and 11 require 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.
- 4.4.2 The proposed decking / ramped structures which are to be fixed to the rear and side elevations will be of UPVC composite construction with circa 1m high enclosing railings. Their design, positioning and size will not result in incongruous additions to the host building and are considered to give a contemporary appearance.
- 4.4.3 A previous bi-fold door within the side (north) elevation serving the 'age 3/4 room' is to be replaced with a window which reflects the fenestration details at the opposite side and front elevation. Several cap cowl are to be added to the roof which are very limited in size and cause no adverse visual impacts.
- 4.4.4 The additional acoustic fencing will follow the same profile and height as the existing arrangements, thereby ensuring visual coherence. Furthermore, boundary treatment details to the northern boundary and within the site and soft / hard landscaping are appropriate from a visual / design perspective.

4.4.5 On that basis, the proposed amendments to the building and site layout alterations will not impact upon visual amenity, in accordance with the requirements of LPP2, Policy 11.

4.5 Highways

4.5.1 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.

4.5.2 The original proposal included a new entry and egress point to the car park for both the school and nursery uses towards the north-eastern corner. Full details of the new access and off-site highways works were included at condition No.7 The previous plans also sought closure of the existing access opening following occupation of the nursery use, in which a scheme detailing its closing secured by condition No.9.

4.5.3 However, the revised proposal demonstrates that the new proposed access is to be removed and the existing access arrangements to the current and extended car park utilised. There is no loss of parking provision on the revised site layout compared to that with the extant planning approval.

4.5.4 The Council's highways team have offered no objection to the scheme. The layout ensures appropriate vehicular manoeuvrability from allocated spaces and these spaces are broadly in accordance with the requisite parking dimension standards. Pedestrian access from Crosby Road to the nursery building will continue to be via a new footpath to the north as originally proposed, and therefore does not involve people arriving by foot to enter the car park minimising any highways safety concerns.

4.5.5 Accordingly, the proposed access and parking layout amendments are found to be in accordance with the requirements of Policy 10 and The Framework.

4.6 Environment

4.6.1 Policy 9 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.

Trees:

4.6.2 Point 11 of Policy 9 states that development proposals should incorporate existing trees into the design and layout. Within close proximity to the proposed rear elevation of the building are two large common oak trees which as part of the previous application, although not protected by a TPO were deemed worthy of retention given visual and ecological value. The building was founded to not cause any detrimental impacts to these aforementioned trees. This proposal seeks amendments by virtue of installing two small decking areas to the rear elevations to accommodate for the land level

difference between the ground and floor level of the building. These structures are situated within the root protection areas of both of the trees.

- 4.6.3 The Council's Tree Officer has reviewed the proposals to install the decking / ramp structures concluding the long term health of the two oak trees will not be threatened given the minor amount of root severance and disruption required to undertake the works.
- 4.6.4 Furthermore, the original site layout included a play area for children under the canopies of the two trees which would have included ground landscaping to include mulch to prevent impacts. However, given concerns around young children potentially eating the mulch, a new play area has been formed away from these trees and will therefore ensure greater protection to the longevity of them given minimal disturbance to ground in these areas.
- 4.6.5 For these reasons, the proposed amendments would be acceptable with reference to trees, thus complying with the requirements of Policy 9.

4.7 Air Quality

- 4.7.1 Policy 36 requires development proposals to minimise contributions to carbon emissions and climate change, both directly from the development and indirectly arising from factors such as travel to and from the development.
- 4.7.2 In response to such matters, BwD Public Protection initially advised that an electric vehicle charging point should be provided within the existing car park. This was secured via an appropriately worded condition (no.20). A subsequent EV charging scheme was then agreed through the discharge of condition application process (ref. 10/22/0727).
- 4.7.3 However, given financial constraints in delivering the nursery build an EV charge point at present cannot be budgeted for. As such, it has been agreed that a reasonable approach is for the EV infrastructure (duct, duct box and traffic island) installed prior to occupation of development, and when finances are recouped following several years of the nursery operations the previously approved EV scheme point can then be introduced in the designated parking bays demonstrated on the proposed site plan.

4.8 Summary

- 4.8.1 This application involves minor amendments to the nursery building and site layout including a new play area as well as revised parking and access arrangements approved under application 10/21/1210. Taking into account the above assessments, the amendments are founded to be acceptable on all relevant planning grounds.
- 4.8.2 It is recommended that conditions 8 and 20 are varied to accord with the amended parking layout and EV charging scheme. Condition's 7 and 9 are proposed to be removed as no longer relevant to this consent.

4.8.3 In considering the proposal, a wide range of material considerations have been taken into account and it is considered the proposal meets the relevant policy requirements with the Blackburn with Darwen Development Plan and the National Planning Policy Framework.

5.0 RECOMMENDATION

5.1 Approve subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original planning permission i.e. 18th February 2022.

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

2. Unless explicitly required by condition within this permission, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

- Drawing No. 4279 / XA05 002, Rev D – Location Plan;
- Drawing No. 4279 / XA05 003, Rev C – Proposed Site Plan; and
- Drawing No. 4279/ XA05 004 – Proposed Plan, Roof Plan & Elevations

as detailed in the minor material amendment received 19/07/2023 including drawings numbered:

- Drawing No. 4279 / XA05 002, Rev D – Location Plan;
- Drawing No. 4279 / XA05 - XXX, Rev F – General Arrangement Site Plan inc Landscaping;
- Drawing No. 4279 / XA05 - 020, Rev A – Elevations showing decking & ramps and railings; and
- Drawing No. 4279 / XA05 – 005 – External Windows & Doors;

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

3. Prior to commencement of above ground works hereby approved, and notwithstanding the submitted details, written and illustrative details of the external walling, roofing, window and door materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the approved details.

REASON: To ensure that the external appearance of the development is satisfactory; in accordance with Policy 11 of the Blackburn with Darwen Borough Local Plan Part 2 and the adopted Blackburn with Darwen Design Guide Supplementary Planning Document.

4. 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) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). Any investigations undertaken shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) separate systems for the disposal of foul and surface water;
- (iii) 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%);
- (iv) details of any necessary flow attenuation measures, including the use of SUDS where appropriate;
- (v) details of how the scheme will be maintained and managed after completion; and
- (vi) 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.

5. Prior to the occupation of the development hereby approved, two copies of a comprehensive Validation Report shall be submitted to and approved in writing by the Local Planning Authority. The Validation Report shall demonstrate effective remediation in accordance with the agreed remediation scheme and updated CSM. All the installed remediation must be retained for the duration of the approved use, and where necessary, the Local Planning Authority should be periodically informed in writing of any ongoing monitoring and decisions based thereon.

REASON: To ensure that all reasonable steps have been taken to identify contamination at the site, that the risks it presents have been appropriately assessed, and that the site can be made 'suitable for use', as such, does not pose a risk to future users of the site or the wider environment in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Local Plan Part.

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

- i) the management of construction traffic;

- ii) the parking of vehicles of site operatives and visitors;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development;
- v) 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;
- vi) measures to control the emission of dust, dirt and vibration; and
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: In order to guard against disruption to highway users; to avoid hazardous deposits of debris onto the highway and to protect the amenity of the occupiers of the adjacent properties, in accordance with Policies 8, 9 and 10 of the Blackburn with Darwen Borough Local Plan Part 2.

7. The development hereby approved shall not be brought into use unless and until, the car parking scheme as detailed on the approved Proposed Site Plan, 'Drawing No. 4279 / XA05 005 - XXX, Rev F' has been completed and laid out, and shall be retained as such thereafter.

REASON: To allow for vehicles visiting the site to be parked clear of the public highway, and to assimilate the new car parking areas in their surroundings in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

8. Following six months of occupation of the development hereby approved, a Green Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Green Travel Plan shall identify measures that the occupiers will adopt to promote sustainable transport for staff, visitors, and deliveries and shall include details of how the proposed measures are to be implemented and monitored. The scheme shall be implemented in accordance with the approved details.

REASON: In the interests of sustainable transport objectives and in accordance with Policy 10 of the Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

9. Construction and / or demolition works shall not be permitted outside the following hours:

Monday to Friday 8:00 to 18:00
Saturday 9:00 to 13:00

Construction and demolition works shall not be permitted on Sundays or Bank or Public Holidays.

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.

10. 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 Blackburn with Darwen Borough Local Plan Part 2.

11. A scheme for a noise barrier on the western boundary of the 'Play' areas shall be submitted by the developer. The scheme shall be agreed in writing by the Planning Authority, implemented prior to commencement of the approved use, and retained thereafter.

REASON: To prevent a loss of amenity at neighbouring residential premises caused by noise, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

12. No more than 30 children at any one time shall use the outdoor areas labelled 'Play' on 'Drawing No. 4279 / XA05 003, Rev C – Proposed Site Plan'.

REASON: To prevent a loss of amenity at neighbouring residential premises caused by noise, in accordance with Policy 8 of the Local Plan Part 2.

13. Prior to commencement of above ground works hereby approved, and notwithstanding the submitted details, a scheme of boundary treatment(s) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the precise location, height and construction materials of all boundaries. The approved scheme of boundary treatment(s) shall be implemented prior to first occupation of the development and retained thereafter.

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.

14. The use hereby permitted shall not operate outside the hours of 08:00 to 17:00 Monday to Friday. It shall not operate at all on Saturdays and Sundays.

REASON: To ensure appropriate hours of use to minimise noise disturbance and safeguard the amenities of the adjoining premises and the area generally in accordance with Policies 8 and 10 of the Blackburn with Darwen Borough Local Plan Part 2.

15. Prior to occupation or use of the building, a scheme for cycle storage provision and powered two-wheeler parking which includes details on the number, type of stands, location and shelter shall be submitted to and approved by the Local Planning Authority. The facilities shall be retained at all times thereafter.

REASON: To ease the pressure on off-street parking arrangements at the site and encourage other modes of transport, in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

16. The development shall be carried out in strict accordance with the submitted Arboricultural Impact Assessment Overview, Rev B and Draft Tree Protection Scheme/Arboricultural Method Statement as prepared by Bowland Tree Consultancy Ltd, dated January 2022. Specified tree protection measures shall be adhered to throughout the period of construction. Prior to the installation of new boundary treatment to further enclose the site, an add on Arboricultural Method Statement report should be submitted to the Local Planning Authority which covers details regarding construction activities and measures to avoid disturbance to the trees with any new fencing.

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

17. Should the proposal involve outdoor floodlighting, a scheme detailing the types, positions and heights shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The floodlights shall be installed in accordance with the agreed scheme and retained for the duration of the approved use.

REASON: To minimise potential loss of amenity due to intrusive light pollution affecting residents living in the vicinity, in accordance with Policy 8 of the adopted Blackburn with Darwen Borough Council Local Plan Part 2.

18. The development hereby approved shall be carried out in accordance with the agreed Electric Vehicle charging scheme as shown on proposed site plan, ref. 4279/XA05-XXX, Rev F and the submitted 'Electric Vehicular Charge Point Technical Specification' received 4th September 2023. The EV charge point shall then be installed within five years of this date of decision in accordance with the approved detail, 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.

6.0 PLANNING HISTORY

Longshaw Infant School

- 10/92/1826 – Alterations and erection of additional classrooms, resource area and staff room. Approved, 06/01/1993.
- 10/94/0457 – Provision of pitched roof to school buildings. Approved, 13/05/1994.
- 10/07/0456 - Replacement of existing fencing with new palisade fencing to entire boundary. Approved, 29/06/2007.
- 10/21/1210 - Erection of Single Storey Nursery Building. Approved, 18/02/2022.
- 10/23/0199 - Installation of two pieces of external play equipments to new nursery play areas. Approved, 25/07/2023.

Longshaw Nursery School

- 10/00/0640 - Conversion of flat roof to a 15 degree pitch with profile steel sheet. Approved, 23/11/2000.
- 10/07/0492 – Replacement of boundary fencing. Approved, 28/06/2007.
- 10/08/0037 – Erection of play equipment. Approved, 14/02/2008.
- 10/08/0174 - Children's steel embankment slide. Approved, 23/04/2008.

7.0 CONSULTATIONS

7.1 Statutory Consultation

7.2 Highways Comments

PROW – no implications

The submission details have been reviewed, and a site investigation has been carried out.

The application received is for Variation/Removal of Condition/Minor Material Amendment for Variation of Conditions 2 (approved drawings), 8 (parking), 20 (EV charging) and removal of conditions 7 (site access) and 9 (closure of existing access) pursuant to application 10/21/1202 "Erection of single storey nursery building" - Reduction in height of building, replace side bi-fold door with a window, install cowls to roof, formation of new play area, parking layout changes and erection of decking / ramped access to rear and side elevations

Condition 8 – car parking

The changes submitted are deemed acceptable
We therefore support the changes proposed.

Condition 20 – EV charging

Further to the narrative received from the agent on the 19th July 2023.

It is accepted that on the proviso that the infrastructure to support electric vehicle bays are installed, we would support the variation as requested.

Removal of condition 7 (Site Access) & 9 (Closure of site access)

This is acceptable.

7.3 Public Protection

With reference to the above application I have no objections on environmental health grounds given the minor nature of the proposed changes.

I would like to remind the applicant of the requirement to install the acoustic barrier the specification of which needs to be agreed in advance, as required by condition 13 of the original application 10/21/1210.

7.4 Tree Officer

Assessment:

I have considered the proposal to install decking/ramp structures on the north, west and south, west corners of the building in relation to two maturing, high value Oak trees.

The proposed decking would encroach into the root protection areas (RPA) of both trees.

It is estimated the encroachment into the RPA for T2 would be around 10% and for T3 less than 5%

Construction will require excavations for several posts for each of decking/ramps.

The amount of root severance and disruption to the rooting environment would not be significant. The excavations would not lead to any undue threat to the health of the trees. Both trees have good vigor and have the capacity to tolerate the associated disturbance in the rooting area.

Conclusions:

Construction of the proposed decking/ramps will not threaten the long term health of the two Oak trees.

7.5 Lancashire Fire and Rescue

The proposed Planning Application has been noted and the Fire Authority gives its advice in respect of access for fire appliances and water supplies for firefighting purposes to the site.

The following 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.

ACCESS - DOCUMENT B, PART B5

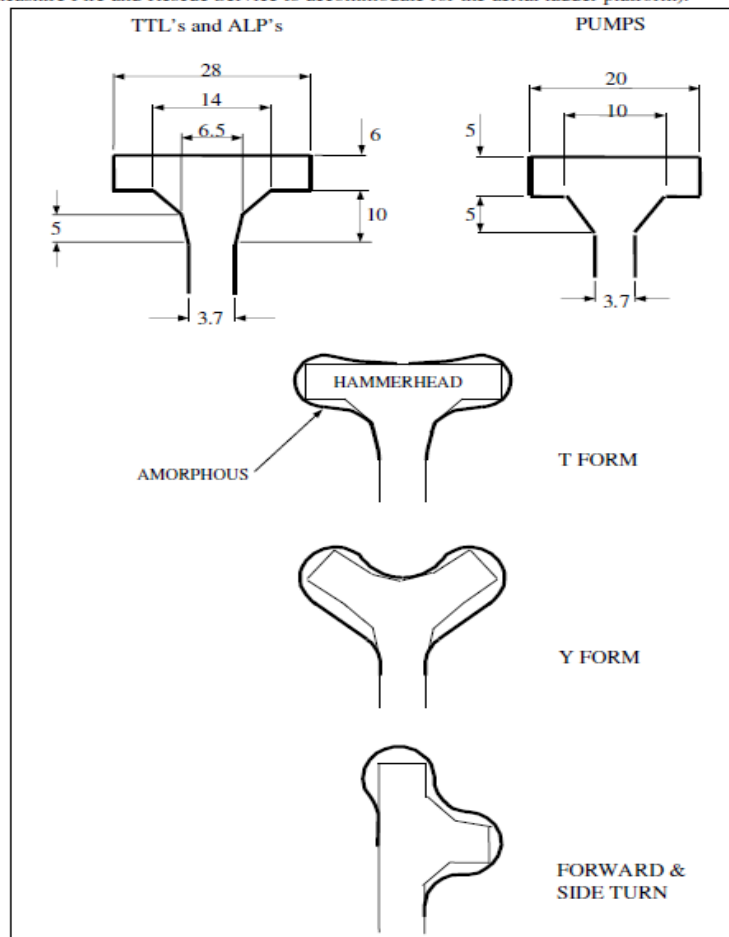
It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.

LANCASHIRE FIRE AND RESCUE SERVICE SAFETY SERVICES DEPARTMENT

NOTE FOR GUIDANCE N° 14

TURNING FACILITIES FOR FIRE SERVICE VEHICLES

The following diagrams show typical turning heads in accordance with table 21, note 1 and paragraph 17.11 of Building Regulations approved document B, part B5 (as amended by Lancashire Fire and Rescue Service to accommodate for the aerial ladder platform).



EXTRACT FROM BUILDING REGULATIONS APPROVED DOCUMENT B
(as amended by Lancashire Fire and Rescue Service to accommodate for the aerial ladder platform)

Appliance Type	Minimum width of road between kerbs (m)	Minimum width of gateways (m)	Minimum turning circle between kerbs (m)	Minimum turning circle between walls (m)	Minimum clearance height (m)	Minimum carrying capacity (tonnes)
Pump	3.7	3.7	16.8	19.2	3.7	12.5
High Reach	3.7	3.7	29.0	29.0	4.0	26

Notes:

1. Fire appliances are not standardised. Some fire services have appliances of greater weight or different size. In consultation with the Fire Authority, Building Control Authorities and Approved Inspectors may adopt other dimensions in such circumstances.
2. Because the weight of high reach appliances is distributed over a number of axles, it is considered that their infrequent use of a carriageway or route designed to 12.5 tonnes should not cause damage. It would therefore be reasonable to design the roadbase to 12.5 tonnes, although structures such as bridges should have the full **26 tonnes** capacity.

B5 WATER PROVISION

It should be ensured that the proposal is provided with suitable provision of Fire Fighting water. Any provisions should comply with National Guidance, details of which can be found: <https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/>

Guidelines on flow requirements for firefighting (taken from the National Guidance document on the provision of water for firefighting):

Type of building	Minimum main size (mm)	Minimum flow (litres per min)	Ideal flow (litres per min)	Maximum distances between hydrants (m)
Semi-detached house	90	480	1200	150
Detached house	90	480	1200	150
Multi occupied house	100	1200	2100	150
Transportation	100	1500	2100	90
Industry – Up to 2.5 Acres	150	2100	4500	70
Industry - 2.5 Acres to 5 Acres	150	3000	4500	70
Industry – Over 5 Acres	150	4500	4500	70
Shops/Offices/Recreation/Tourism	150	1200	4500	70
Village Halls	100	900	1200	100
Primary Schools	100	1200	2100	100
Secondary School/College	150	2100	4500	70
Hospitals	150	2100	4500	70

The Local Authority Building Control / Approved Inspector and Fire Service should be consulted at the earliest opportunity where more specific advice can be offered.

7.6 Public Consultation

Neighbourhood consultation letters were sent out on 16th August, to 41 properties surrounding the application site. In addition, a site notice was displayed at the corner of Crosby Road and Peel Close. In response to the

public consultation, no representations were received in response.

8.0 CONTACT OFFICER: Jamie Edwards, Planning Officer

9.0 DATE PREPARED: 25 August 2023