

Proposed development: Variation/Removal of Condition/Minor Material Amendment for Variation of condition No. 29 pursuant to planning application 10/17/0578 'Residential Development comprising 272 homes, public open space, landscaping, drainage, associated highway works, infrastructure and engineering works and demolition of existing garages' to allow for changes to housetypes, layouts and materials

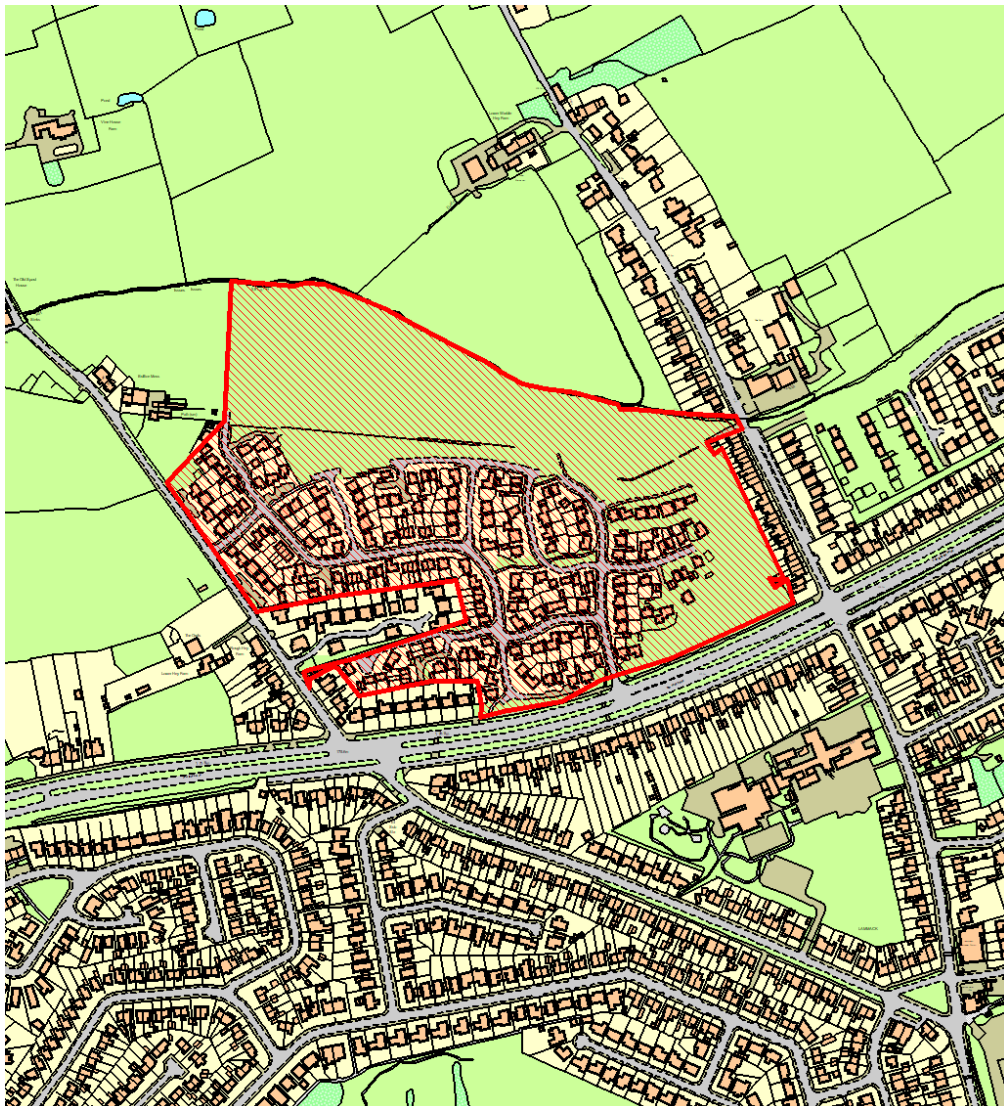
Site Address:

**Land off Yew Tree Drive and Whinney Lane
Blackburn
BB2 7DN**

Applicant: Wainhomes NorthWest Limited

Ward: Billinge & Beardwood

**Councillors: Tasleem Fazal
Jackie Floyd
Mohammed Irfan**



1.0 SUMMARY OF RECOMMENDATION

- 1.1 **APPROVE** subject to the amendment of condition 29 (approved drawings) imposed upon extant planning approval 10/17/0578

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 In accordance with the Council's scheme of delegation, this application is before the Planning & Highways Committee as it represents an amendment to a major residential planning application. The proposal seeks to amend condition 29 (approved drawings) of planning approval 10/17/0578: *"Residential Development comprising 272 homes, public open space, landscaping, drainage, associated highway works, infrastructure and engineering works and demolition of existing garages"*
- 2.2 The amendments represent modest changes to the previously approved development. The amended scheme will continue to deliver a high quality bespoke housing development, which will widen the choice of family housing in the Borough, consistent with the planning strategy for housing growth as set out in the Core Strategy and Local Plan Part 2

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1 The application relates to the northern edge of the active Wainhomes residential development, as approved under 10/17/0578. The site forms the western section of housing land allocation 16/2: which is referred to as the North Blackburn Development Site. The site measures 12.8 and comprises land situated to the north of Yew Tree Drive, the east of Whinney Lane and west of Barker Lane/Lammack Road.

3.2 Proposed Development

- 3.2.1 The current application seeks to modify condition 29 imposed upon the extant permission 10/19/0317. Condition 9 identifies the approved drawings for the development.
- 3.2.2 The proposed changes are, in part, necessitated by the need to provide an easement to the watercourse on the northern edge of the site. As a consequence there is a change to the previously agreed layout to remove a highway loop and replace with private drives. In addition the proposals also seek changes to house types, amend outbuildings and facing materials.

3.2.3 The proposed amendments are outlined below;

1. Plots 148 to 155 (previously 206 to 217) changed from 2 bed apartments (Oakmere Types) to 3 bed Semi-detached dwellings in the same configuration.
2. Plot 158 - previously Plot 150. Plot handed and garage detached. Changed from Stone in favour of all Brickwork.
3. Plot 157 - previously Plot 149. Render omitted in favour of all Brickwork.
4. Plots 159/160 - previously 151/152. Slight amendment to positions on plan to accommodate technical stand-off requirements for the watercourse to the North.
5. Plot 151 - previously Plot 153. Render omitted in favour of all Brickwork.
6. Plots 162 to 171 - previously Plots 154 to 163 reconfigured to omit the Highway loop in favour of 2 separate shared drive configurations that meet with Access for Fire Regulations. This allows for the accommodation of the technical stand-off requirements for the watercourse to the North. The footpath connection along this Northern edge remains in place albeit configured differently.
7. Plot 162 - previously 154. Render omitted in favour of all Brickwork.
8. Plots 161/162 - previously Plots 153/154. Shared garage block to rear garden separated.
9. Plot 164 - previously Plot 156. Render omitted in favour of all Stone elevation.
10. Plot 170 - previously Plot 162. Render omitted in favour of all Stone elevation.
11. Plots 168/169 - previously Plots 160/161. Plot types changed and split into 2 detached units.
12. Plot 172 – previously Plot 164. Plot handed and pulled further Southwards. Garage taken out of the Streetscene and tucked up the side of the dwelling.
13. Plots 173/174 – previously Plot 165. Plot changed into 2 small plots taking better advantage of the aspect to the North onto the Greenspace. Both plots proposed in Stone elevations.
14. Plot 175 – previously Plot 166. Render omitted in favour of all Stone elevation.
15. Plots 176/177 – previously Plots 167 to 170. 4no dwellings replaced with 2no dwellings. Changed from 3 bed Baird House Types to 5 bed Larch House Types with all Brick Elevations.
16. Plot 178 – previously Plot 171. Newton house type changed to Newton Special version with outrigger to the rear. Stone elevation omitted in favour of all Brickwork to link better with Plots 176/177.
17. Plot 179 – previously Plot 172. Render omitted in favour of all Stone elevation.
18. Plot 180 – previously Plot 173. Plot handed.
19. Plot 181 – previously Plot 174. Slight adjustment to its position on the ground. Render omitted in favour of all Stone elevation.
20. Plot 192 – previously 185. Same type as approved but name change.

21. Plot 195 to 198 – previously Plots 188 to 190. 3 Block of 2 beds changed to 4 Block of 2 beds and associated parking to front amended / reconfigured.
22. Plot 199 – previously Plot 191. Garage block detached from house and slid Southwards past the rear elevation of the property to gain garden access.
23. Plot 200 – previously 192. Same type as approved but name change.
24. Plot 202 – previously Plot 194. Render omitted in favour of all Stone elevation.
25. Plots 203/204 – previously Plots 195/196. Newton house types changed to Newton Special version with outrigger to the rear. Stone elevation omitted in favour of all Brickwork.
26. Plot 205 – previously Plot 197. Render omitted in favour of all Stone elevation.
27. Plots 206 to 208 – previously Plots 198 to 200. Brickwork omitted in favour of all Stone elevation.
28. Generally across all plots the boundary alignments have been rationalised and boundary details changed during the design review process.

3.2.4 The following images detail the previously approved layout and proposed changes;



Fig 1: Northern edge of the approved layout under 10/17/0578



Fig 2: Amended proposal under consideration

3.2 Development Plan

3.3.1 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:

3.3.2 Core Strategy

- CS16 – Form and Design of New Development

3.3.3 Local Plan Part 2

- Policy 8 – Development and People
- Policy 10 – Accessibility and Transport
- Policy 11 – Design
- Policy 18 – Housing Mix

3.4 Other Material Planning Considerations

3.4.1 Residential Design Guide Supplementary Planning Document

This document provides targeted advice to ensure high quality new homes. It aims to ensure that new development reflects the individual and collective character of areas of the Borough and promotes high standards of design. The document also seeks to ensure a good relationship between existing and proposed development in terms of protecting and enhancing amenity.

3.4.2 North Blackburn Masterplan

The site is within the North Blackburn Masterplan area, forming Phase A to D of the delivery strategy. The Masterplan was the subject of public consultation and was prepared in consultation with the land owners/promoters. It was adopted by the Council 16th March 2017015, and as such is a material consideration when considering this and future proposals for the area.

3.4.3 National Planning Policy Framework (2023)

3.5 Assessment

3.5.1 Condition 29 of 10/17/0578 requires development to proceed in accordance with the identified approved drawings. The current proposal seeks to revise the approved layout to address the need for an easement to the watercourse adjoining the northern edge of the site. In addition, there are changes to house types and facing materials.

3.5.2 Design and Layout:

Policy 11 of LPP2 is of relevance and requires all new development to present a good standard of design. Development will be expected to demonstrate a good understanding of the wider context and make a positive contribution to the local area, including enhancing/ reinforcing the established character of the locality. Similar requirements are also set out within Policy CS16

3.5.3 The consented scheme, 10/17/0578, sought to provide distinct character areas within the development; denoting the transition from the existing urban boundary on Yew Tree Drive, to the rural areas that adjoins the site's northern boundary. This approach was achieved through the use of lower densities on the northern edge and a shift from brick towards a mix of brick, render and stone facing materials.

3.5.4 The amended layout is not considered to deviate from the general approach highlighted above. The proposed changes to house types and plot boundaries do not materially affect the proposed density of development, whilst the changes to materials, as detailed within section 3.2.3 of this report, do not alter the transitional approach required by the adopted masterplan.

3.5.5 The new property types that are to be integrated in to the layout are broadly consistent with those approved under 10/17/0578. They are considered to have a modern appearance, though continue to reflect the vernacular form. The house types represent an appropriate variety of styles and, together with their orientation, will create varied and attractive street scenes.

3.5.6 Policy 18 of the Local Plan Part 2 illustrates that the Council requires a detached and semi-detached housing offer to be the principal element of the dwelling mix on any site that is capable of accommodating such housing. The current proposal remains compliant with this requirement. Indeed, the proposed changes include the replacement of apartment blocks within semi-detached properties within the north east corner of the site.

3.5.7 Consequently, compliance with the North Blackburn Masterplan and policies 11, 18 and CS16 is achieved.

3.5.8 Residential Amenity:

Local Plan Policy 8 supports new development that secures a satisfactory level of amenity for surrounding uses and for occupants/ users of the development itself. The Council's adopted residential design guide SPD provides additional guidance with particular reference to separation distances between dwellings to ensure the amenity of residents is protected.

3.5.9 The Residential Design Guide SPD indicates an appropriate separation of 21 metres between facing windows of habitable rooms of two storey dwellings, unless an alternative approach is justified to the Council's satisfaction. Where windows of habitable rooms face a blank wall or a wall with only non-habitable rooms a separation of no less than 13.5 metres shall be maintained, again

unless an alternative approach is justified to the Council's satisfaction. The development remains consistent with these requirements, both in relation to the relationship to properties within the site and those on the periphery. Compliance with Policy 8 and the SPD is achieved.

3.5.10 Highways:

Core Strategy Policy 22: Accessibility Strategy and Local Plan Policy 10: Accessibility and Transport, aim to ensure that new developments provide appropriate provision for access, car parking and servicing so as to ensure the safe, efficient and convenient movement of all highway users is not prejudiced.

3.5.11 The proposals do not affect the previously agreed access points linking to the surrounding highway network. The principle highway related change relates to the removal of a highway loop adjacent to plots 159 and 163, due to a conflict with the easement required to the watercourse on the northern edge of the site. The amended scheme provides for the use of shared private driveways instead.



Figure 3: Previous permission showing the highway loop.



Figure 4: Showing the amendment to the layout adjacent to Plots 159 to 163.

3.5.12 The further amended details provided 25th October 2023, address the need for the tracking of fire engines and refuse trucks within the altered sections of highway. The proposals have been appraised by highway colleagues who have advised the revised layout is satisfactory. As part of the assessment of the revised layout the scheme has also been reviewed by colleagues within the environmental services team who have removed earlier objections due to bin carry distances for refuse workers now being limited through the provision of a bin store adjacent to plot 164.

3.5.13 The amended scheme remains consistent with the Council's adopted parking standards, with two and three bedroom properties having 2 in-curtilage parking spaces and four and five bedroom units having three spaces.

3.5.14 Consequently, the proposals remain in accordance with the requirements of policies CS22 and 10

3.5.15 Public Objection:

The single public objection, as detailed at section 9 of this report, seeks to revisit the principle of development within the site. Given the principle of development has already been secured by the extant permission 10/17/0578, the objection should not be given weight when assessing the merits of the application.

3.5.16 Summary:

This report concludes the proposed revisions to the extant planning approval continues to provide a high quality housing development with associated infrastructure, which meets the policy requirements of the Blackburn with Darwen Core Strategy, Local Plan Part 2, the adopted master plan for the North Blackburn area and the National Planning Policy Framework

4.0 RECOMMENDATION

Delegated authority is given to the Strategic Director of Growth and Development and the Deputy Chief Executive to approve the revised planning application subject to the reapplication of all conditions imposed upon planning permission 10/17/0578 and amendment to conditions 29, to read as below;

Condition 29

This consent relates to the submitted details marked received 9th May 2017 and to the Environmental Management Plan (reference: I&BPB7192R001F0.1_revision 0.1/Final) and Updated Ecology Report (reference: I&BPB7192R002F0.1_revision 0.1/Final) received 1st September 2017, Swept Path Analysis (drawing reference: 1956-SP01) received 12th September, Supplementary Highway Note received 27th September 2017, Amended section drawing (reference: 1519/WHD/YTD/SE01) received 20th October 2017 and the following amended details received 25th October 2023;
Boundary Treatment Plan 01; ref 011519WHD/YTD/BT01_revision D
Boundary Treatment Plan 02: ref 1519WHD/YTD/BT02_revision D
Fire Appliance Access Plan 01: ref 1519WHD/YTD/FA01_revision C
Fire Appliance Access Plan 02: ref 1519WHD/YTD/FA02_revision B
Materials Plan: ref 1519WHD/YTD/MP02_revision B
Site Layout Plan: ref 1519WHD/YTD/PL01_revision HX

And to any to subsequent amendments approved in writing by the Local Planning Authority.

REASON: To clarify the terms of this consent.

5.0 PLANNING HISTORY

- 5.1 10/17/0578 - Residential Development comprising 272 homes, public open space, landscaping, drainage, associated highway works, infrastructure and engineering works and demolition of existing garages (Approved by the Committee at their meeting in May 2018).

6.0 CONSULTATIONS

- 6.1 Public Consultation: 65 neighbouring properties have been individually consulted by letter, site notices displayed and a press notice issued. One letter of objection has been received and is set out at section 9 of this report.
- 6.2 Highways: Request for swept path analysis addressed through amended and further details received 25th October 2023. No objection.
- 6.3 Environmental Services: Initial concerns in relation to bin carry distances and refuse wagon manoeuvring addressed by amended details received 25th October 2023. No objection.

7.0 **CONTACT OFFICER: Martin Kenny, Planning Officer**

8.0 **DATE PREPARED: 2nd November 2023**

9.0 SUMMARY OF REPRESENTATIONS

Objection – J Whittaker, 239 Lammack Road, Blackburn. Received: 26/07/2023.

Martin Kenny
growth + development
The boss, Rishi Sunak, says house
building should be done on brown
belts and cities. Converting over green
belts, as this council is doing, is
destroying our countryside!
It's all about greed and not 'Planet
Earth'.
