

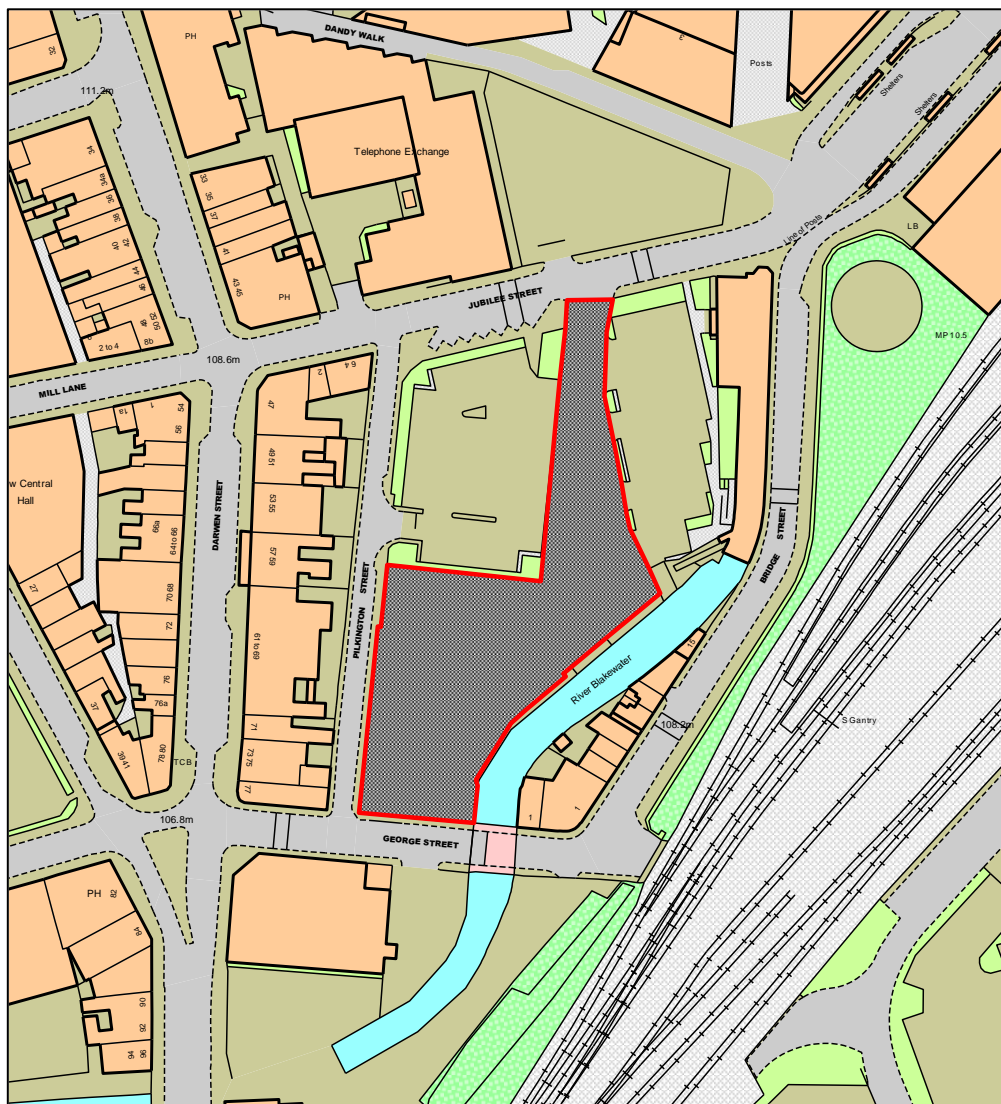
Proposed Development: Remodelling and landscaping of the external entrance of the Youth Zone, including the provision of an enclosed lobby, green living wall, metal canopies, bicycle storage and 2 no. electric vehicle charging points for existing accessible parking spaces, alongside the restoration and enhancement of the external facade and internal reconfigurations to the Fuse Box building

Site Address: Blackburn Youth Zone, Jubilee Street, Blackburn, BB1 1EP

Applicant: Blackburn Youth Zone

Ward: Blackburn Central

**Councillor Samim Desai
Councillor Mahfooz Hussain
Councillor Zamir Khan MBE**



1.0 SUMMARY OF RECOMMENDATION

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

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 This application is presented to the Planning and Highways Committee, in accordance with the Council's Constitution, and given that the application site is within the ownership of the Council.
- 2.2 The proposed development has been publicised through letters to residents and occupants of the nearest 35 adjacent properties on 25th September 2023. In addition, a site notice was displayed on 26th September 2023. No public comments have been received for the application so far. Should any comments be received ahead of the meeting they will be presented as part of a committee update report.
- 2.3 The Council's development plan supports new community developments and associated works, provided they constitute sustainable development and accord with the development plan when taken as a whole.
- 2.4 The proposed development involves various works to the main entrance of the Youth Zone, including the provision of an enclosed lobby, green living wall, metal canopies, bicycle storage and electric vehicle charging points for existing accessible parking spaces. Various restoration works are also proposed the external facade of the Fuse Box building alongside internal reconfigurations to provide enhanced services.
- 2.5 On balance, the proposals would be satisfactory from a technical point of view, with all issues having been addressed through the application process, or capable of being controlled or mitigated through appropriately worded planning conditions.
- 2.6 The key issues to be addressed in determining this application are as follows;
- Principle of development
 - Design and heritage assets
 - Residential amenity
 - Highways and parking
 - Land contamination
 - Flooding and drainage

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1 The application site is a split-level, community building that is positioned within Blackburn Town Centre and the Darwen Street Conservation Area. The site is also almost entirely within Flood Zone 3.
- 3.1.2 A youth centre and supporting services are currently in operation from all three levels of the building. The application site boundary covers the Youth Zone building together with the access road from Jubilee Street. A small car parking area is also positioned to the east of the building. Commercial buildings and carpark surround to three sides with dwellings and a hotel along Bridge Street positioned to the east. An open stretch of the River Blakewater part-defines the east boundary, which is allocated as Green Infrastructure.
- 3.1.3 Blackburn Youth Zone is a multi-purpose sports, leisure and recreational facility for young people aged between 5 – 21 years' old, with targeted support for young people with a number of vulnerabilities from 8 – 25 years' old. The Youth Zone operates from an existing building associated with the former Gas Works No. 2, together with a modern, purpose-built facility offering a wide range of sports and recreational activities, including; a four-court sports hall with facilities for indoor tennis, badminton, football, netball and basketball, and a separate climbing wall, alongside a fitness suite and an outdoor multi-use games area.
- 3.1.4 The building comprises of two main parts in an architectural sense. The older part is a former electricity works building, which is now known as the Fuse Box. That part has decorative red brick faced elevations, a slate roof and painted timber doors and windows. The newer part, which was approved in 2010, is a large flat roofed extension with an open roof void. Brown bricks and translucent orange cladding has been used to externally finish the extension and it has been fitted with grey aluminium doors and windows.

Figure One – Location Plan and Satellite Image

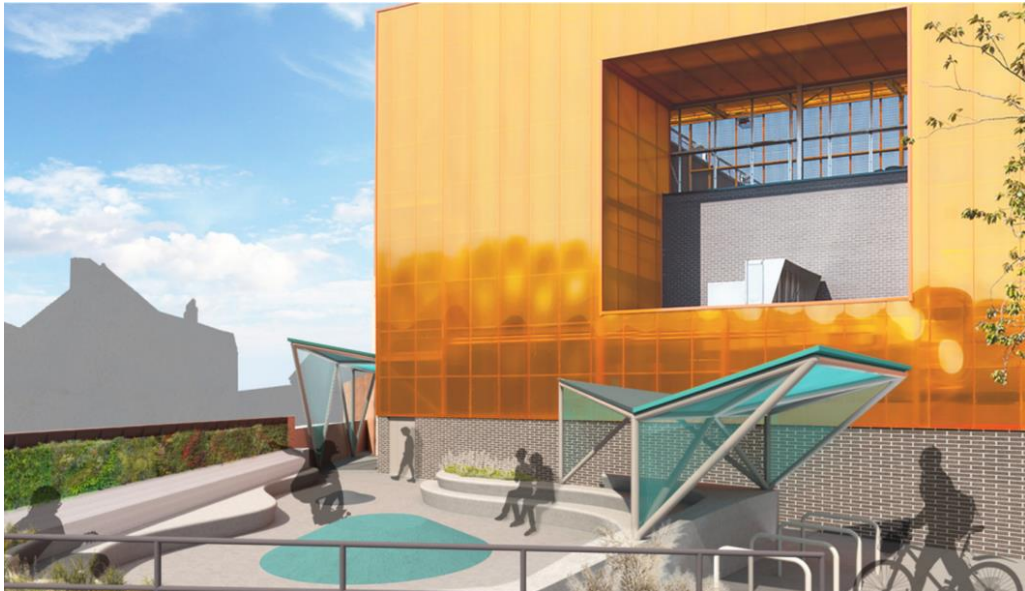


3.2 Proposed Development

3.2.1 As detailed above, the proposed development involves various works to the main entrance of the Youth Zone, including the provision of an enclosed lobby, green living wall, metal canopies, bicycle storage and electric vehicle charging points for existing accessible parking spaces. Various restoration works are also proposed the external facade of the Fuse Box Building alongside internal reconfigurations to provide enhanced services.

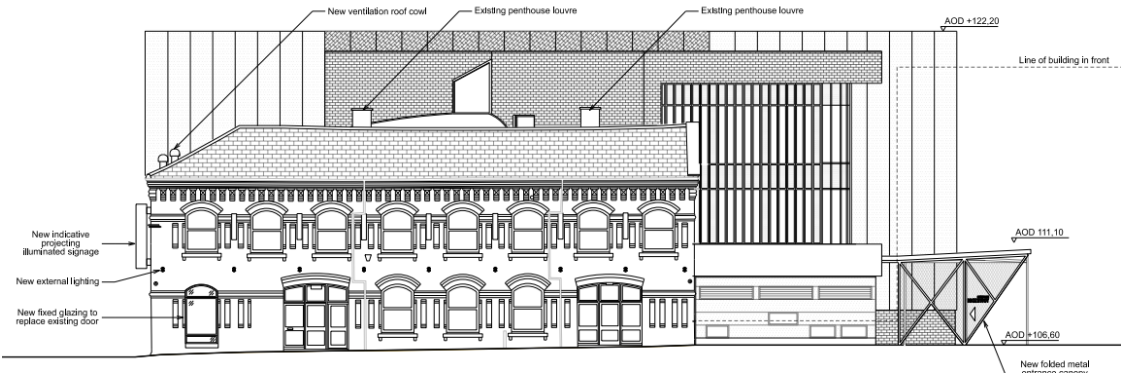
3.2.2 A folded metal canopy feature would be installed above the entrance door, which would be fitted integral lighting. Various external works are proposed adjacent to the entrance, including the construction of concrete mounds to act as jumps for skateboards etc. and concrete seating affixing to the flood wall. A folded metal canopy would be installed providing a covered seating area and cycle storage. 2 electric vehicle charging points would also be provided serving the existing mobility impaired spaces.

Figure Two – Artist’s Impression of Proposed External Works



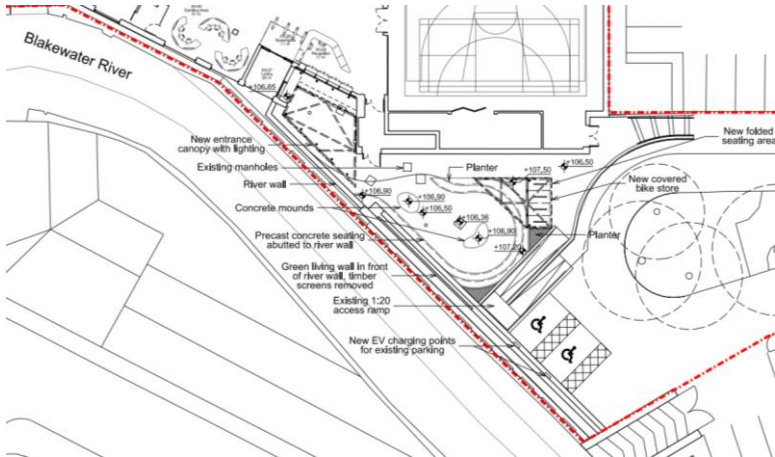
3.2.3 The works to the Fuse Box building comprise of the installation of a new aluminium glazed entrance along Pilkington Street, inserted into the historic elevation and existing doorway. New lighting and signage will guide to this entrance. The existing Electricity Works sign on the Pilkington Street elevation would be restored. Two blocked-up ground floor windows would be reinstated in the west elevation with a doorway on the south elevation replaced with fixed glazing. New spotlights and ventilation roof cowls are also shown on the submitted plans.

Figure Three – Proposed South Elevation



3.2.4 The internal configurations would allow for the provision of art studios, workshops, and recreational areas on the ground floor. Similar uses would be provided on the first floor with a gym and sports hall provided on the second floor. The reconfigurations of the entrance point would allow for the formation of a lobby and reception area.

Figure Four – Extract of Proposed Site Plan (amended)



3.3 Case Officer Site Photos



3.4 Development Plan

3.4.1 Core Strategy (2011):

- Policy CS11: Facilities and Services

3.4.2 Local Plan Part 2 (2015):

- Policy 1: The Urban Boundary
- Policy 7: Sustainable and Viable Development
- Policy 8: Development and People
- Policy 9: Development and the Environment
- Policy 10: Accessibility and Transport
- Policy 11: Design
- Policy 26: Town Centres – a Framework for Development
- Policy 39: Heritage

3.4.3 Local Plan (Emerging) 2021-2037

- Policy CP2: The Spatial Approach
- Policy CP7: The Historic Environment
- Policy CP8: Securing High Quality and Inclusive Design
- Policy CP11: Town Centres and Commercial Development
- Policy DM2: Protecting Living and Working Environments
- Policy DM13: Flooding/SuDS
- Policy DM26: Heritage Assets
- Policy DM27: Design in New Developments
- Policy DM29: Transport and Accessibility
- Policy DM33: Town Centres

4.0 **ASSESSMENT**

4.1 Principle of Development

4.1.1 The site is located within the defined urban boundary, which is identified as the preferred locations for all new development by Policy 1. Policy CS11 states that the range and quality of public services and facilities will be expanded and enhanced; in particular, at accessible locations. Policy 26 supports proposals which deliver supporting community services within town centres. Those requirements are underpinned by Policies CP2, CP11 and DM33.

4.1.2 The proposals would enhance an existing community building within a town centre location. Numerous policies offer support for such forms of development. BwD Children's Services have reviewed the proposed and no objections have been raised. The proposed development is therefore acceptable in principle, in accordance with Policies CS11, 1, 26, CP2, CP11 and DM33.

4.1.3 In accordance with the presumption in favour of sustainable development detailed in the Framework, and Policy 7, development proposals should proceed without delay, unless impacts which significantly and demonstrably

outweigh the benefits of the proposal are identified; subject to assessment of the following matters;

4.2 Design and Heritage Assets

- 4.2.1 The site is a large, multi-level community building that is a standalone architectural feature within the streetscene. The building comprises of two main elements of different ages and it is positioned within a conservation area, as detailed above. Policy 11 requires all development proposals to represent a good standard of design through demonstrating an understanding of the site's wider context and making a positive contribution to visual amenity. Policy 39 states that development with the potential to affect any designated heritage asset, either directly or indirectly including by reference to their setting, will be required to sustain or enhance the significance of the asset. Those requirements are underpinned by Policies CP7, CP8, DM26 and DM27.
- 4.2.2 In relation to visual amenity, the external works proposed to the Fuse Box building are minimal and they would not harm the character of the building. The works proposed to the modern extension would also be minimal. Moreover, the works proposed within the grounds would be read in conjunction with the large modern extension and they not lead to any adverse visual complications on that basis.
- 4.2.3 From a heritage standpoint, a review of the proposals has been undertaken by the BwD Heritage Advisor and no objections have been raised. No harmful impacts would be caused for the setting of nearby listed buildings owing to ample separation. The conservation area has a mix of mid-late nineteenth century Victorian and buildings alongside more modern developments. The majority of the works proposed to the Fuse Box building would be implemented internally and they would have no impact on the setting of the conservation area.
- 4.2.4 Aside from the proposed roof works, the proposed external works would be implemented within the existing openings of the building. A condition is recommended to agree the materials and designs for any new doors and windows to be installed within the Fuse Box building in order to agree the scope of those works. The plans make indicative references to various signs to be installed yet the scope of those works will be controlled as part of a subsequent application for advertisement consent.
- 4.2.5 The works proposed to the modern extension and within its grounds would appear at odds with some of the more historic elements of the conservation area. However, those works would be implemented as part of an overtly modern development, which is positioned adjacent to large modern commercial buildings. They would also be implemented within a part of the site that is partly concealed from the public domain.
- 4.2.6 A condition is recommended to ensure those works are implemented in accordance with the submitted materials details in order to ensure a satisfactory form of development is achieved. Subject to compliance with those conditions,

the proposed development would be acceptable with reference to design and heritage assets, in accordance with the relevant requirements of Policies 11, 39, CP7, CP8, DM26 and DM27.

4.3 Residential Amenity

4.3.1 Dwellings are positioned along Bridge Street and safeguarding the amenities of those neighbours is an important material planning consideration. Policy 8 states that all development proposals should secure a satisfactory level of amenity for surrounding occupants in relation to noise, vibration, odour, light, dust, other pollution or nuisance, privacy/overlooking, and the general relationship between buildings. Those requirements are underpinned by Policy DM2.

4.3.2 A review of the proposals has been undertaken by BwD Public Protection and no objections have been raised. The internal works do not require planning consent and the external works would not intensify usage of the site to a level that would be harmful to the aural amenities of the immediate neighbours. Furthermore, the lighting scheme would be modest and it would not lead to any adverse levels of light pollution for the immediate neighbours.

4.3.3 A condition is recommended to control construction works hours in order to limit disruptions for neighbours during that phase of the development. Subject to compliance with that condition, the proposed development would be acceptable with reference to residential amenity, in accordance with the relevant requirements of Policies 8 and DM2.

4.4 Highways and Parking

4.4.1 The site is positioned within a town centre location with short and long stay parking facilities within walking distance. Policy 10 requires all development proposals to not prejudice road safety or the safe, efficient and convenient movement of all highways users. Adequate parking provision and servicing arrangements should also be provisioned in support of new development. Those requirements are underpinned by Policy DM29.

4.4.2 The proposals would have the potential to increase the capacity of the site, and therefore parking requirements. That said, such an outcome does not present any material planning concerns given the central nature of the site. It is also reasonable to assume that many service users would not require parking provisions themselves. On that basis, the proposed development is acceptable with reference to highways and parking, in accordance with the relevant requirements of Policies 10 and DM29.

4.5 Land Contamination

4.5.1 The development involves excavations within a public site and land contamination must be assessed on that basis. Policy 8 contains requirements to ensure development proposals on previously developed land can be remediated to a standard that provides a safe environment for users of the

development whilst also ensuring contamination is not displaced. Those requirements are underpinned by Policy DM2.

4.5.2 BwD Public Protection has reviewed the merits of the application and no objections have been raised. They have essentially advised that due diligence should be applied by contractors to safeguard the integrity of any remediation works previously undertaken as part of the previously approved extension. An informative note should be added to any approvals issued to control those details. Subject those obligations being followed, the proposed development would be acceptable with reference to land contamination, in accordance with the relevant requirements of Policies 8 and DM2.

4.6 Flooding and Drainage

4.6.1 The site is positioned almost entirely with Flood Zone 3, as detailed above. Policy 9 states that development will be permitted where, following implementation of any required mitigation, there is no unacceptable impact on environmental assets or interests, including flood risk. Those requirements are underpinned by Policy DM13.

4.6.2 A Drainage Strategy and Flood Risk Statement was submitted in support of the application. Any surface waters associated with the development would be minimal and they would be drained into the existing system, which involves an attenuation tank. No further details are required regarding surface water drainage.

4.6.3 Regarding flood risk, both BwD Drainage and the Environment Agency have objected to the development given inadequacies with the submitted Flood Risk Statement. In response to those objections the proposals have been revised, namely the layout of the proposed external works. A more comprehensive Flood Risk Assessment has also been submitted.

4.6.4 BwD Drainage and the Environment Agency are yet to review the amended information as it has only been received this week. Any further comments provided by them will be presented as part of the committee update report.

4.7 Summary

4.7.1 This application involves the remodelling and landscaping of the external entrance of the Youth Zone, including the provision of an enclosed lobby, green living wall, metal canopies, bicycle storage and 2 no. electric vehicle charging points for existing accessible parking spaces, alongside the restoration and enhancement of the external facade and internal reconfigurations to the Fuse Box building. Subject to flood risk being acceptable and appropriate conditions, the proposed development would be acceptable on all the relevant planning grounds, in accordance with the policies detailed in Section 3.4.

4.7.2 Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. Subject to appropriate conditions,

the proposal would be acceptable in principle and in terms of design and heritage assets residential amenity, highways and parking, and land contamination. For clarity, the issues around flood risk are yet to be satisfied and additional information in that regard will be presented as part of the committee update report.

5.0 RECOMMENDATION:

Subject to flood risk being acceptable, delegated authority is given to the Strategic Director of Growth and Development and Deputy Chief Executive to approve planning permission, subject to the following conditions;

- 5.1 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.

- 5.2 Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings: P500, P1200 – Revision 01, P1201, P1303, P2000, P2001, P2002, P2003 – Revision 01, P2100 – Revision 01, P2101, P2102, P3000, P3001, P3100 – Revision 01, P3101 – Revision 01, P4000 and P4100 – Revision 01.

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

- 5.3 Prior to their installation, details confirming the designs, colours and finishes of any doors and windows to be installed within the Fuse Box building shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in strict accordance with the approved details.

REASON: In order to clarify the scope of those works, in the interests of visual amenity and safeguarding the character of the conservation area and host building, and to comply with the requirements of Policies 11 and 39 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

- 5.4 With the exception of any doors and windows to be installed within the Fuse Box building, the external construction materials and finishes to be used for the development hereby approved shall be as stated on the submitted application form and approved drawings.

REASON: In order to ensure a satisfactory form of development is achieved, in the interests of visual amenity, and to comply with the requirements of Policy 11 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

- 5.5 Any construction works associated with the development hereby approved shall only take place between the hours of 8:00 – 18:00 Monday – Friday and 9:00 – 13:00 on Saturdays. No such works shall take place on Sundays or Bank Holidays whatsoever.

REASON: In order to minimise noise disturbances for neighbours from construction works, in the interests of residential amenity, and to comply with the requirements of Policy 8 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

Case Specific Informative Note

- 5.6 It is important to note that the site was a former gas works site and there was contamination identified at the site. Significant works were undertaken to make the site suitable for use as part of a previous planning application, and this included providing membranes beneath the building to protect occupiers of the building. Any works undertaken as part of this permission must respect the integrity of the existing protective measures included in the original planning design, and must not compromise or in any way render the installed remediation at the site ineffective.

Any contractors should be made aware of the existing remediation and the need to maintain the protective measures throughout the lifetime of the building. Contractors should undertake their own risk assessment to ensure the safety of their workers in light of potential contamination at the site, and should use appropriate PPE etc. when working at the site.

6.0 RELEVANT PLANNING HISTORY

- 6.1 10/11/0947 – Revised fenestration to the entrance elevation – Approved, with conditions – October 2011.
- 6.2 10/09/1006 – Demolition of existing office building and redevelopment of site for a youth facility - including reception, cafe, kitchen and servery, multi-purpose activity spaces, sports hall and changing rooms, roof top kick pitch and ancillary office accommodation. Also external walkway, vehicle drop off zone and dedicated disabled parking (Conservation Area Consent) – Approved, with conditions – February 2010.
- 6.3 10/09/0992 – Demolition of existing office building and redevelopment of site for a youth facility - including reception, cafe, kitchen and servery, multi-purpose activity spaces, sports hall and changing rooms, roof top kick pitch and ancillary office accommodation. Also external walkway, vehicle drop off zone and dedicated disabled parking Phase 2 - Surestart Building (Early Learning Centre) with car park – Approved, with conditions – February 2010.

7.0 CONSULTATIONS

- 7.1 BwD Children's Services – No objections.

7.2 BwD Heritage Advisor – As I am required to do so, I have given the duty's imposed by s.66(1) and s.72(1) of the P(LBCA) Act 1990 considerable weight in my comments. I consider that subject to further details (windows) the proposal meets the statutory test 'to preserve' and will not result in any substantive harm to both the character or appearance of the Darwen Street Conservation Area, nor to the contribution made by the setting to the nearby Grade II listed Blackburn Railway Station. Therefore, no balancing exercise is required as per NPPF P.202. As such, the proposal meets the objectives of Chapter 16 of the NPPF and accord with the policies of the Local Plan.

7.3 BwD Public Protection – It is important to note that the site was a former gas works site and there was contamination identified at the site. Significant works were undertaken to make the site suitable for use as part of a previous planning application, and this included providing membranes beneath the building to protect occupiers of the building. Any works undertaken as part of this permission must respect the integrity of the existing protective measures included in the original planning design, and must not compromise or in any way render the installed remediation at the site ineffective.

Any contractors should be made aware of the existing remediation and the need to maintain the protective measures throughout the lifetime of the building. Contractors should undertake their own risk assessment to ensure the safety of their workers in light of potential contamination at the site, and should use appropriate PPE etc. when working at the site.

7.4 BwD Drainage – We object to the proposals in line with the EA's requirements for a revised FRA. We may remove our objection upon receipt of a satisfactory FRA.

7.5 BwD Property Services – No objections.

7.6 Environment Agency – We have been consulted on the planning application accompanied by a Flood Risk Assessment (FRA) prepared by Booth King Partnership Limited, referenced; 14896- BKP-XX-XX-RP-S-010-P01, dated September 2023. The Flood Risk Assessment (FRA) aspects are covered in Section 3 of the above document. We have reviewed the FRA in so far as it relates to our remit, and we are not satisfied with the adequacy of the FRA as it does not demonstrate a satisfactory understanding of flood risk or demonstrate that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented.

(Environment Agency Position) In the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused. The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist. The FRA does not therefore adequately assess the flood risks posed by the development.

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection.

7.7 Ward Cllrs

7.8 No public responses received

8.0 **CONTACT OFFICER:** Christian Barton – Senior Planner

9.0 **DATE PREPARED:** 30th November 2023

10.0 **SUMMARY OF REPRESENTATIONS** – none received.