

Proposed development: Full Planning Application for Residential development of 5 no. dwelling following demolition of existing buildings

Site address: Land and Properties off Billinge End Road, Blackburn, BB2 6PY

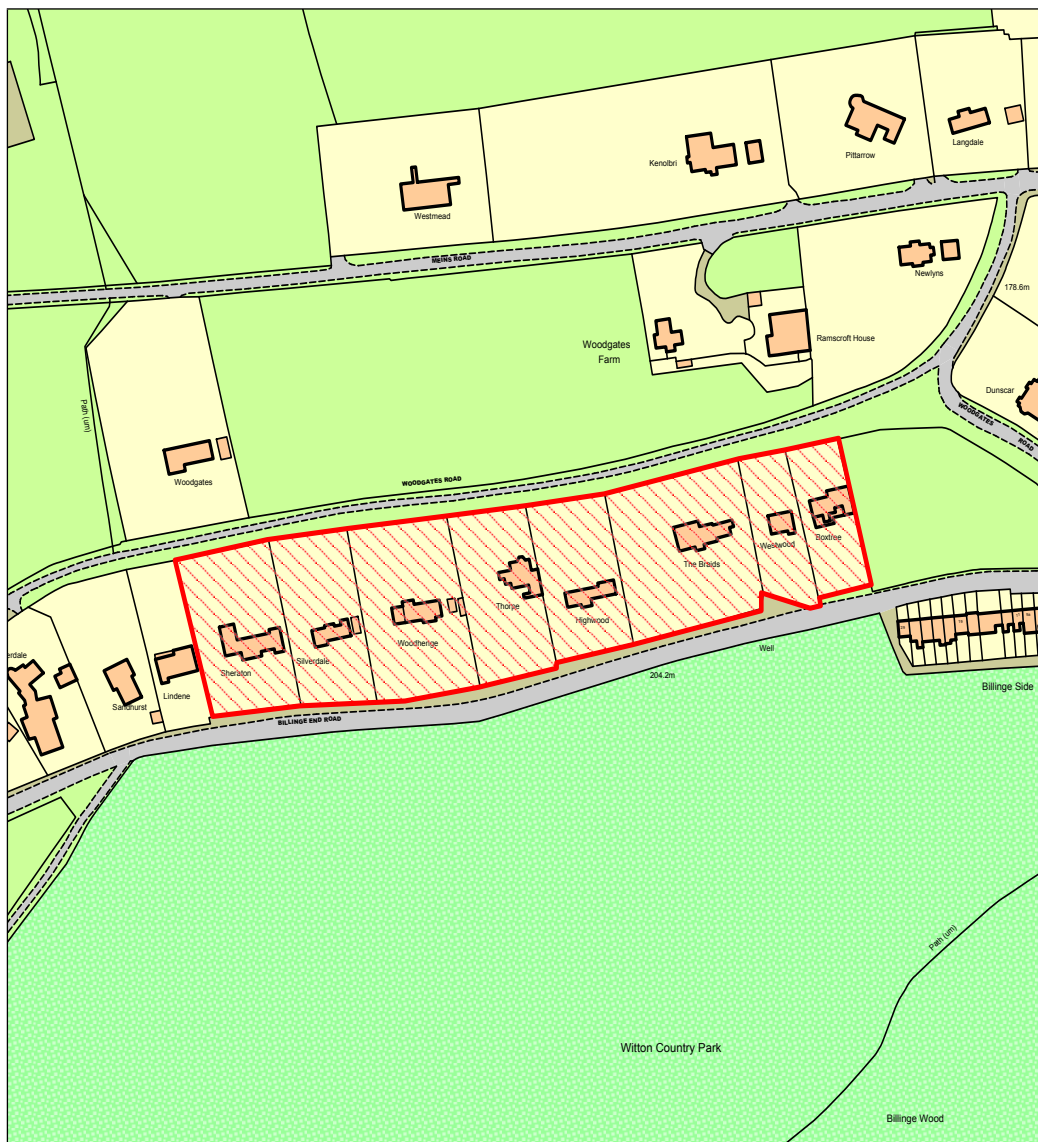
Applicant: Mr Sauban Issa

Ward: Billinge & Beardwood

Councillor Jackie Floyd

Councillor Julie Daley

Councillor Tasleem Fazal



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – Subject to recommended conditions (see section 4.0)

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 The proposal will deliver a high quality housing scheme consistent with the Council's planning strategy for growth and widening the choice of accommodation within the Borough. The proposal is also satisfactory from a technical point of view, with all issues having been addressed through the application, or capable of being controlled or mitigated through planning conditions.

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site comprises 8 no. existing residential properties on Billinge End Road, Blackburn. The existing properties, which are sited in a liner formation, from west to east are known as Sheraton, Silverdale, Woodhenge, Thorpe, Highwood, The Braids, Westwood and Boxtree. A private tennis court also lies within the application site, on land associated with The Braids.

3.1.2 The existing dwellings are all detached, large family homes but differ in style and design, although most of the properties are constructed out of red brick, with some incorporating areas of white render and are either two or three storeys in height. The existing dwellings are set back some considerable distance from the road and at a lower level: there is a significant fall in levels from street level to the centre of the plots where most of the existing properties are situated. All the existing properties have vehicular access taken from Billinge End Road to the south.

3.1.3 The site is bounded to the west by a further 4no. detached dwellings, the nearest property being Linden. The application site and those 4 units are all situated within the urban boundary. Beyond Billinge End Road to the south lies an area of woodland, whilst a bridle way bounds much of the site's northern boundary, with the remainder formed by an un-adopted section of Woodgates Road. Also in close proximity are large detached properties to the north and Billinge Side, a traditional terrace holding an elevated position above Billinge End Road, to the south east.

3.2 Proposed Development

3.2.1 Full planning approval is sought for the demolition of 8no. existing dwellings and redevelopment of the site to provide 5no. detached dwellings, with associated access, boundary treatment and landscaping.

3.2.2 The replacement dwellings will remain orientated with their principle elevation to the south, facing Billinge End Road. The natural contours of the site have been utilised to insert a lower ground floor to the rear of the properties. This ensures the scale of the buildings to the South, facing the highway are

maintained as 2 storey, while advantage is taken of the longer views to the North from all 3 storeys with terraces to the main living spaces.

- 3.2.3 The buildings have an irregular footprint, but the basic dimensions have a depth of 18m and a width of 29.75m, rising to 43.55m when including the adjoined single storey garage block. The principle elevation has a floor to ridge height of 9.2m, however due to the site's topography the rear elevation has three storeys and would be 12.3m in height. The proposed dwellings are all of the same design, though some are mirrored.
- 3.2.4 The houses take their influence from neo-classical architecture, incorporating pediment details and columns providing a recessed entrance canopy. Recesses and bays have been utilised to add articulation and interest to the elevation. Large traditional timber sash windows with simple fenestration have principally been employed, though the rear elevation does also incorporate patio windows and french doors opening out on to terraces. The materials used for the proposed dwellings are red facing brick, with natural stone detailing and a blue slate roof.
- 3.2.5 The proposal also provides for new driveway accesses connecting to Billinge End Road. The new driveway is to be formed with self-binding gravel with a brick sett edge detailing. The existing boundary treatment is also to be replaced. The wall fronting Billinge End Road will be in approximately the same location as that currently in-situ, ranging from 1.2m to 1.5m in height and constructed of red brick with stone pillars and coping detail. The rear boundary will include a 1.5m high retaining wall due to level differences between the site and the adjacent bridleway., which is again to be faced with red brick and stone pillars and coping detail. In addition a 500mm railing detail is also included to offer security. The internal boundaries are to be formed by close boarded timber fencing, 1.5m in height at the front of the properties, and 1.8m to the rear of the plots.

.Development Plan

- 3.2.5 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:

3.2.6 Core Strategy

- CS1 – A Targeted Growth Strategy
- CS5 - Locations for New Housing
- CS6 – Housing Targets
- CS7 – Types of Housing
- CS8 – Affordable Housing Requirements
- CS13 – Environmental Strategy
- CS16 – Form and Design of New Development

3.2.7 Local Plan Part 2

- Policy 1 – The Urban Boundary
- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 9 – Development and the Environment
- Policy 10 – Accessibility and Transport
- Policy 11 – Design
- Policy 18 – Housing Mix
- Policy 40 – Integrating Green Infrastructure and Ecological Networks with New Development

3.3 **Other Material Planning Considerations**

3.3.1 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.

3.3.2 National Planning Policy Framework (NPPF) – 2018:

3.3.3 The National Planning Policy Framework (Framework) is a material consideration in planning decisions. The Framework sets out a presumption in favour of sustainable development, which is the “golden thread” running through both plan-making and decision-taking. Paragraph 11 of the Framework explains that for decision taking, this means approving development proposals that accord with the development plan without delay. Section 5 of the Framework relates to delivering a wide choice of high quality homes, and Section 8 relates to promoting healthy communities.

4.0 **ASSESSMENT**

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

- Principle;
- Highways and Access;
- Design and Layout;
- Aboricultural Impact
- Amenity Impact;
- Drainage;
- Ecology; and
- Affordable Housing.

4.2 Principle of Development:

Policy 1 of the Local Plan states that the defined Urban Area is to be the preferred location for new development. Development in the Urban Area will be granted planning permission where it complies with the other policies of this Local Plan and the Core Strategy. The site is located within the urban area boundary defined on the proposals map.

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

4.2.2 Core Strategy Policy CS5: *Locations for New Housing* identifies the preferred location for new housing as being within the inner urban areas of Blackburn and Darwen, beyond this housing development will also take place in accessible locations elsewhere within the urban area, where it is demonstrated that market conditions mean it cannot be delivered in the inner urban areas. Given the development amounts to a replacement housing scheme there is clear justification in considering the proposal as meeting the secondary test within the policy. The proposal is also consistent with Policy CS7 which indicates that a range of housing will be required in order to widen the choice available in the local market. The policy identifies specific categories of housing that includes at section (iii) housing that meets the needs of high wage earners; 'higher market' and 'executive homes'.

4.2.3 Policy CS6 provides guidance on housing targets within the borough. The policy is now out of date following the adoption of the revised NPPF, though it is still fair to conclude that at present the borough has an under-provision in terms of housing delivery. This forms the basis for a number of the public objections, which in simple terms offer the position that the Council should not in principle support the removal of eight units to provide five new homes, ie a net reduction of three. When appraising this position Members should be mindful of recent appeal decisions, notably including that linked to application 10/17/478, where the Inspector concluded that proposals that only have a minor impact upon the overall delivery of housing targets should afford significant weight to the other policy assessments. Thus the matter of the net reduction should be weighed in the planning balance, but not be an absolute position dictating the overall success of the application.

4.3 Highways and Access:

4.3.1 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.

4.3.2 The development will provide for five individual accesses and driveways. The existing accesses that serve the properties currently in-situ will be blocked off

as part of the landscaping and boundary treatment works. The new accesses incorporate gates that are set in to the site to enable waiting vehicles to be parked clear of the highway. Parking is accommodated on a bound gravel area in front of the dwelling, or within the adjoined triple garage.

- 4.3.3 Highway's colleagues have appraised the application and concluded that the visibility spays associated with the new accesses are acceptable. Further the positions of the gates are also considered to avoid obstruction of the highway. The proposed parking arrangements are also compliant with the Council's adopted parking standards.
- 4.3.4 The site is bounded to the north by Bridleways 168 &167 Blackburn (Woodgate's Road) and to the west, on the boundary with Linden, by public right of way 83. The Council's PROW officer has offered no objection to the application though has indicated that should access during development be required from Woodgates Road then priority must be given to other users due to the Bridleway status. Furthermore, it is the intention of the PROW officer to survey the entire route prior to development and post-development to appraise whether any damage has been used. In such an event any damage caused to the route will have to be made good by the developers, in conjunction with the Public Rights of Way department. Works on the western boundary, adjoining footpath 83, will need to be mindful of the requirement to apply for a temporary footpath closure order if the route is likely to be disturbed.
- 4.3.5 The submission is supported by demolition and construction method statements that offer broad detail of the access arrangements, parking of contractors' vehicles, delivery routes and servicing of the development site. Highway colleagues have indicated that there is not sufficient information on all aspects, or regarding wheel wash arrangements. It is therefore considered to be necessary to impose the Council's standard construction methods and wheel wash condition, should the proposal be supported. Subject to that position the development is considered to satisfactorily meet the requirements of CS22 and LPP2 Policy 10

4.4 Design and Layout:

- 4.4.1 Core Strategy Policy CS16 and Policy 11 of the Local Plan strive for high quality design within all new developments. Policy 11 specifically requires development to present a good standard of design, demonstrating an understanding of the wider context and make a positive contribution to the local area. The policy sets out a list of detailed design requirements relating to character, townscape, public realm, movement, sustainability, diversity, materials, colour and viability. Additional support is also set out within the Council's adopted Residential Design Guide
- 4.4.2 The NPPF also forms a material consideration and guidance is provided within section 12 of the document. Paragraph 127 sets out the general parameters of assessment, whilst paragraph 130 advises that "*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and*

the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”

- 4.4.3 The site is currently occupied by 8 individually designed properties. The properties range in age from the Edwardian period to mid to late 20th century. The existing units are of differing design and form, with a wide range of materials including red facing brick, painted render, upvc cladding, clay roof tile and natural slate all being present. The units share a loose build line, which is commonly set back from Billinge End Road; as are the adjacent properties to the west of the site. The majority of the properties sit within large garden areas within mature landscaping. The units are enclosed by a variety of boundary treatments, with coursed and random stone walling being prevalent. All the houses have their principle entrances on the southern side, though many are designed to take advantage of the open views to the north. Although the properties are generally of a high quality, they are not identified individually or collectively as being of special architectural or historic merit and thus have no special designation.
- 4.4.4 The proposal seeks to remove the 8 existing houses and replace with 5no. detached dwellings, with associated access, boundary treatment and landscaping. The replacement dwellings will remain orientated with their principle elevation to the south, facing Billinge End Road. The natural contours of the site have been utilised to insert a lower ground floor to the rear of the properties. This ensures the scale of the buildings to the South, facing the highway are maintained as 2 storey, while advantage is taken of the longer views to the North from all 3 storeys with terraces to the main living spaces. The buildings have an irregular footprint, but the basic dimensions have a depth of 18m and a width of 29.75m, rising to 43.55m when including the adjoined single storey garage block. The principle elevation has a floor to ridge height of 9.2m, however due to the site’s topography the rear elevation has three storeys and would be 12.3m in height. The proposed dwellings are all of the same design, though some are mirrored.
- 4.4.5 The public objections are dominated by concerns with the design of the houses. Common concerns relate to their overall size and massing, as well as questioning how the loss of the existing attractive properties can be justified. The overall impact on the character of the locality is questioned, as is why the properties cannot be individually designed rather than having a repetitive form. Members can note the objections further within section 9 of this report.
- 4.4.6 An important trait of the Council’s design policies is the need to enhance and reinforce the character of the locality. Various elements are used to form this judgement, including; layout, orientation, building shapes, plot sizes, heights, materials and frontage treatment. When appraising the current position there are some elements that are evident such as; the generous proportions of the plots; the common build line set back from the carriageway; the orientation of units to front Billinge End Road, yet maximise views to the north, the prevalence of hipped roof design – often with steep pitches. Other elements

demonstrate variety, including, but not limited to; facing materials, size and form of the houses, the proportion of hard landscaping and boundary treatment.

- 4.4.7 The proposal seeks to impose a similar architectural form to all the new properties, albeit with some mirrored plots to break up the rhythm of the row and due to the need to retain trees. There are several elements of the design that meet the current characteristics of the area; the orientation of the houses, the generous plots, the use of hipped roofing with steep pitches, the common but not regimented build line. Conversely some elements would not conform, again including but not limited to; the use of a repeated design, the overall scale and massing, the introduction of a pediment design at roof level.
- 4.4.8 The proposed design and appearance is not considered to be harmful in itself, in many regards they form an attractive and well-designed executive home, with high quality features including sliding timber sash windows and stone detailing. Instead the overall size and massing is the most compelling argument against the chosen design. The buildings will undoubtedly be greater in height than those to be removed, having a ridge height on the principle elevation of 12.3m, compared to others in the existing group estimated at between 8 and 9m. The objections also raise concern with the close setting of the buildings, which it is argued would form a continuous block of development harmful to character of the locality.
- 4.4.9 It is submitted here, though, that given the generous proportions of the plots and the lack of a coherent roof-scape forming an abiding feature of the locality the raising of ridge levels can be justified. Further, the arguments in relation to the overall massing must be set against the current position. Presently the gaps between properties range from just 5m between Thorpe and Highwood to 30m between Thorpe and The Braids. The common gap between the new buildings is 10m, though in all but one of the plots the main house is massed against the adjoined garage block, which is single storey (albeit with plant within the roof void). The effect is to provide in all but one of the plots a distance of 25m between the two storey sections of the buildings when viewing the design from Billinge End Road. Indeed between plots 3 and 4 the distance between the two storey sections is 40m. Allied to the retained tree coverage (see section 4.5) that offers some screening from the carriageway it is considered that the overall size and massing is not sufficient to warrant refusal when considering the requirements of the Policies and guidance at the local and national level.
- 4.4.10 Members are advised, therefore, that on balance the proposal is consistent with the requirements of Policies CS16 and 11 of the LPP2, as well as the supplementary guidance and that contained within the NPPF. That position is subject to the use of planning conditions relating to the agreement of facing materials and the materials and appearance of the new boundary treatment. Furthermore, given the scope for changes normally permitted under the allowances of the General Permitted Development Order (GPDO), that could substantially alter the overall design and appearance, as well as affecting neighbouring amenity, it is also considered necessary to restrict permitted development allowances within classes A to E of the GPDO.

4.5 Arboricultural Impact:

- 4.5.1 Policy 9 of the LPP2, at sections 11 to 14, provides guidance in relation to the development and the impact on trees. The policy offers a general requirement that development will be expected to incorporate existing trees into the design and layout of the scheme and should avoid the future conflict between buildings and trees. Where development would result in the loss of protected trees then planning permission will only be granted where (i) the removal of one or more trees would be in the interests of good arboricultural practice; or (ii) the desirability of the proposed development outweighs the amenity and/or nature conservation value of the trees. The removal of trees will require a condition that an equivalent number or more trees are planted on or near the site, unless otherwise justified.
- 4.5.2 The application site has extensive tree coverage. Most significantly this includes 11 trees with TPO status and a further TPO group order that is principally contained within the Braids grounds.
- 4.5.3 The scheme is supported by a full tree survey and arboricultural method statement, the latter having been amended on several occasions due to the receipt of amended proposals. The amended proposals have been, in part, to limit the impact on the loss of trees and retain the most important specimens fronting Billinge End Road. Nonetheless the scheme will result in the removal of 51 trees, 13 due to their current condition and 39 as a result of the proposed development. Of the trees being lost 3 have TPO status; one is lost due to the development (a Sycamore to the rear of the site on the boundary between the new plots 3 and 4) and two are justified for removal due to their poor condition (a sycamore with crown decline and a weeping ash with major stem decay). In mitigation the application provides for 64 extra heavy standard trees, along with hedge and shrub planting.
- 4.5.4 A significant proportion of the public objections cite tree loss as an issue. Members should note section 9 of this report for full details.
- 4.5.5 The Council's Arboricultural Manager has appraised the amended proposals and advises;

"The driveways have been moved in accordance with our recommendations which have secured the retention of all appropriate trees fronting onto Billinge End Road. This is a significant benefit and retains the character of the road/area. My second major concern was two groups of trees within plots 4 and 5 that front onto Woodgates Road. All of these trees were originally highlighted for removal. Five of these trees have now been retained which will benefit the Woodgates Road aspect and the wider aspect viewed from the north and west.

There are a significant number of trees to be removed. However, the majority could be removed lawfully due to no protection, whilst those with TPO status have significant flaws/conflicts that would justify removal. The application is also proposing a significant number of replacement trees which will mature and contribute significantly to the area. On balance the proposals will

eventually have a positive effect on the character of the area and therefore I have no objections to the proposals”.

4.5.6 Members are therefore advised that the proposed tree loss can be justified on this occasion. The overwhelming proportion of trees identified for removal are set within the site, offering limited amenity value to the wider locality. Further they are insignificant specimens and typical of most gardens with a high proportion of conifer and ornamental species. The proposed loss of protected trees T21 and T22 (as identified within the submitted tree survey report and planning drawings) is justified due to poor condition; a position that could be substantiated independent of any redevelopment proposal. This provides justification under the provisions of Policy 9, part 13 (i) as being good arboricultural practice. The loss of T9 is as a consequence of the proposals, though in this instance the substantial mitigation offered through replacement planting has been identified as meeting the test within Policy 9, part 13 (ii) in that the scheme will offer a greater contribution to the amenity value of the locality in time than the individual specimen currently offers.

4.5.7 Accordingly, the proposals are, on balance, considered to meet the requirements of Policy 9, subject to the development being undertaken in accordance with the tree protection methods and working practices set out in the Arboricultural method Statement received 7th August 2018, and the replacement planting identified on the landscape and planting drawings received 3rd August 2018 - all planting to be undertaken in the first available planting season following the completion of each affected plot.

4.6 Residential Amenity:

4.6.1 Policy 8 of the LPP2 relates to the impact of development upon people. Importantly, at section (ii) of the policy there is a requirement for all new development to secure satisfactory levels of amenity for surrounding uses and future occupiers of the development itself. Reference is made to matters including; noise, vibration, odour, light, dust, privacy/overlooking and the relationship between buildings.

4.6.2 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. For each additional storey above 2 storeys, or where land levels create an equivalent difference in the heights, an additional set back of 3 metres shall be required.

4.6.3 The proposed 5 houses have satisfactory relationships with one another when regarding separation requirements. An assessment of the relationship to the closest residential properties, Lindene, Woodgates and Woodgates Farm has also demonstrated compliance. Notably there are substantial level differences to the latter two, which are situated to the north of the application site. They are, however, in excess of 60m from the windows within the proposed

dwellings and that distance comfortably complies with the separation requirements.

4.6.4 The applicant's submission includes a construction methods statement that indicates the proposed hours of works as being 7am to 7pm Monday to Friday and 7am to 2pm on Saturdays. Those hours are significantly more permissive than the Council's standard hours of use condition that is applied in locations where there is potential for conflict with the amenity of neighbouring residents. It is therefore submitted here that in order to comply with Policy 8 the hours of both the demolition and construction work should be restricted to 8am to 6pm Monday to Friday and 9am to 1pm on Saturday, with no site operations on Sundays or Bank Holidays.

4.6.5 In order to safeguard residential amenity the Council's Head of Public Protection has also requested two further conditions requiring that prior to work commencing a scheme for dust suppression and noise and vibration monitoring be agreed. Finally a condition relating to 'unexpected land contamination' should also be applied in order to safeguard future residents of the site. Subject to those controls and the suggested hours restriction the development would be compliant with Policy 8 of the LPP2

4.7 Drainage:

4.7.1 Policy 9 sets out that development will be required to demonstrate that it will not be at an unacceptable risk of flooding and impact on environmental assets or interests.

4.7.2 The application site is located in a Flood Zone 1, which identifies it as being at low risk from flooding (less than a 1 in 1000 annual probability). The site is however in excess of one Hectare and in compliance with the NPPG and Environment Agency's requirements the application has been accompanied with a flood risk assessment (FRA).

4.7.3 The FRA indicates that the proposed development does not propose a material change of use of land but merely seeks to replace 8 no. existing dwellings with 5 no. new properties. The proposals therefore do not seek to introduce a new vulnerable use on the site. Further, there are no watercourses within 20m of the site, which itself is identified as being at low risk when considering the Environment Agency's own mapping for flood risk from surface water.

4.7.4 The FRA concludes that the risk of flooding on the site is low and can therefore be considered to meet the relevant test within Policy 9. The submission has been considered by the Lead Local Flood Authority and United Utilities who have offered no objections subject to conditions relating to; foul and surface water being drained on separate systems; surface water scheme to be submitted and agreed; and a scheme for the management and maintenance of the surface water system to be agreed prior to first occupation of the site.

4.8 Ecology:

- 4.8.1 Core Strategy Policy CS15 seeks to provide protection and enhancement of ecological assets. Policy 9 of the LPP2 also provides protection for ecological assets, indicating that development likely to damage or destroy habitats or harm species of international or national importance will not be permitted. Biodiversity is also a material consideration within the NPPF
- 4.8.2 The application was submitted with a daytime bat survey and ecological scoping survey. The survey concluded that two properties at the western end of the site, Sheraton and Silverdale, provided evidence of bat activity and had high bat roost suitability. The remaining properties were well sealed and devoid of evidence of bat activity. Additionally the survey noted the presence of several man-made ponds that offered less than optimum breeding habitats for great crested newts, though could support more common species, such as the smooth newt. No evidence of other protected species, such as badgers, was noted
- 4.8.3 At the request of Capita Ecology further bat emergence surveys were commissioned in relation to Sheraton and Silverdale. The survey work identified the presence of three common Pipistrelle bats emerging from Silverdale and one from Sheraton, concluding that the properties are day roosts for a small number of Common Pipistrelle bats, consistent with the findings of the initial survey work.
- 4.8.4 It is agreed by both Capita Ecology and the applicant's own consultant that a low impact Class Licence for bats will be need to be secured from Natural England in order to demolish Sheraton and Silverdale, though demolition could occur to the remaining 6 units immediately. It is also suggested that obtaining the licence would require enhancement and mitigation to be demonstrated and that this could be satisfactorily addressed by a planning condition. In addition there are also suggested conditions agreed by both parties in relation to; the draining of the man-made ponds within the site to occur under trained ecological supervision and avoidance measures to be employed; tree removal should not occur during bird nesting season, commonly March to September, unless the absence of nests has been verified by a suitably qualified ecologist; should demolition of properties occur more than 2 years from the date of this permission the site shall be re-surveyed for the presence of bats. Subject to the suggested conditions the proposal is considered to meet the relevant requirements set out within Policy 9 of the LPP2 and CS15

4.9 Affordable Housing:

- 4.9.1 Core Strategy Policy CS8 advises that all new residential development will be required to contribute towards the Borough's identified need for affordable housing; this being achieved through on-site provision, or through a financial contribution towards off-site delivery.
- 4.9.2 The development falls below the 10 unit threshold set by the Government in relation to tariff based policies requiring financial contributions, though,

importantly, there is a caveat based upon large units that exceed 1000m² of floor space, such as those proposed. Accordingly the development must adhere to the requirements of Policy CS8 and when applying the tariff set out in the Council's affordable housing guidance note for developers there is a requirement of £2,500 per unit. This equates to a total payment of £12,500 to be secured via a section 106 planning agreement.

5.0 RECOMMENDATION

4.1 Approve subject to:

(i) That delegated authority is given to the Head of Service for Planning to approve planning permission subject to an agreement under section 106 of the Town and Country planning Act 1990, relating to the payment of financial contributions relating to the following matters;

- £12,500 as a contribution to the provision of Affordable Housing in the Borough, payable on the commencement of development

Should the s106 agreement not be completed within 6 months of the date of this resolution, the Head of Service for Planning will have delegated powers to refuse the application

(ii) Conditions relating to the following matters;

- Commence development within 3 years
- Materials to be submitted and agreed
- Construction management plan to be agreed
- Permitted development rights to be removed (Part 1, Classes A to E)
- Scheme for materials and appearance of boundary treatment to be submitted and agreed
- Foul and surface water to be drained on separate systems
- Surface water scheme to be submitted and agreed
- Scheme for management and maintenance of surface water drainage system to be submitted and agreed prior to first occupation
- Unexpected land contamination
- Limitation of demolition and construction site works to: 08:00 to 18:00 Mondays to Fridays, 09:00 to 13:00 Saturdays, Not at all on Sundays and Bank Holidays.
- Scheme for suppression of dust during demolition and construction to be submitted and agreed
- Scheme for the monitoring of noise and vibration during demolition and construction to be agreed
- Provision of an electronic vehicle charging point for all new dwellings to be installed prior to first occupation
- Maximum emission of all gas fired heating boilers not to exceed 40mg NOx/kWh
- No vegetation during bird nesting season (Mar to Aug) unless absence of bird nests established by suitable qualified ecologist

- No demolition shall occur to 'Sheraton' or 'Silverdale' properties until such time that a licence has been obtained from Natural England
- Scheme detailing the number, location and form of bat boxes shall be submitted and agreed prior to demolition.
- If site clearance is delayed more than 2 years from the date of this permission, the buildings present on site shall be re-surveyed for the presence of bats and, as necessary, an updated mitigation scheme agreed
- Pond drainage to be undertaken under supervision of trained ecologist, and avoidance measures during site clearance employed.
- Tree protection measures as detailed in arboricultural method statement received 7th August 2018
- Landscaping in accordance with details received 3rd August 2018, to be undertaken in first available planting season following the completion of the affected plot

6.0 PLANNING HISTORY

6.1 Woodhenge:

10/17/0080 – TPO works: Crown lift up to 1/3 total tree height. (Approved February 2017)

6.2 The Braids:

10/15/0436 - Erection of a detached dwelling with garage. (Refused August 2015). Appeal dismissed July 2016 (Ref. APP/M2372/W/16/3144143).

10/11/0567 - Erection of a detached dwelling with garage. (Refused December 2011). Appeal allowed September 2012 (Ref. APP/M2372/A/12/2171380).

10/08/0435 - Erection of Private Dwelling. (Approved 16th June 2008)

6.3 Thorpe:

10/12/0271 - Single storey extension to rear. (Approved April 2012).

10/03/1254 - 2 storey extension and conservatory. (Approved March 2004)

6.4 Sheraton:

10/05/0342 – Rear Conservatory and extension to existing patio with storage space below. (Approved May 2005).

7.0 CONSULTATIONS:

7.1 Public Consultation:

Public consultation has taken place, with 26 neighbouring premises being individually consulted by letter and site notices being displayed. There have been three further rounds of consultation following the receipt of amended proposals. In response a total of 32 letters of objection have been received, including multiple objections from the same individuals. A summary of the written objections are set out within section 9.0 of this report

7.2 Highways:

The proposals provide for adequate parking in line with the Council's adopted parking standards. The visibility splays for the 5 access drives are acceptable. Gates are proposed, but are sufficiently set back to avoid obstruction and enable vehicles to wait clear of the highway before entering the site. No objection subject to a condition requiring construction methods statement, including details of wheel wash facility, to be agreed.

7.3 PROW

Bridleways 168 & 167 Blackburn (Woodgate's Road)

We have concerns that construction vehicles will be using Woodgate's Road as access to the site for demolishing the existing houses followed by the construction of the New developments. Although the majority of Woodgate's road is of a tarmac surface, there are some grassy sections and a short section from Meins Road which is a pitched stone surface and not suitable for heavy construction vehicles. As the entire route is a Public Bridleway, any vehicles using the route will have to give priority to other users on the road at all times. The entire route will be surveyed prior to works commencing and again when all works are complete, any damage caused to the route will have to be made good by the developers and in conjunction with the Public Rights of Way department.

Footpath 83 Blackburn

There is a Public Footpath running between Lindene and Sheraton. The property named Sheraton is to be demolished as part of the application, the developers need to be mindful of any excavation works that may undermine the footpath. If any works are to disturb the surface then a temporary closure order needs to be applied for.

7.4 Head of Public Protection:

No objection subject to conditions relating to (i) Land contamination (ii) Restriction of development hours to 8:00 – 18:00 Monday to Friday, 09: - 13:00 Saturday, no works Sunday and Bank Holidays (iii) Scheme for dust suppression during demolition and construction to be agreed (iv) Programme

for the monitoring of noise and vibration generated during demolition and construction to be agreed (v) Each dwelling to have provision for electric vehicle charging (vi) Gas boiler emission restricted to 40mg NOx/kWh (vii) Floodlighting scheme to be agreed, if necessary.

7.5 Environmental Services:

No objections

7.6 Arboricultural Manager

Following discussions with the developers with regards to the construction of five new houses on Billinge End Road I can confirm my final position as significantly more positive than those offered following the original submission.

The driveways have been moved in accordance with our recommendations which have secured the retention of all appropriate trees fronting onto Billinge End Road. This is a significant benefit and retains the character of the road/area. My second major concern was the two groups of trees within plots 4 and 5 that front onto Woodgates Road. All of these trees were highlighted for removal. Five of these trees have now been retained which will benefit the Woodgates Road aspect and the wider aspect viewed from the west.

There remain a significant number of trees to be removed. However, the majority could be removed lawfully due to no protection and also many of the trees have significant flaws/conflicts that would justify and enable removal of the limited number of protected trees being removed.

The application is also proposing a significant number of replacement trees which will mature and contribute significantly to the area. Thus the proposals will eventually have a positive effect on the character of the area and therefore I have no objections to the proposals, subject to conditions requiring appropriate tree protection measures and replacement planting.

7.7 Capita Ecology

No objection, though consideration to be given to; Demolition of 'Sheraton' and 'Silverdale' properties should not occur until an appropriate licence has been obtained from Natural England and submitted to the Council. Further conditions relating to the following matters (i) If site clearance is delayed more than 2 years from the date of this permission, the buildings present on site shall be re-surveyed for the presence of bats and, as necessary, an updated mitigation scheme agreed (ii) Scheme detailing the number, location and appearance of bat boxes to be agreed. (iii) No removal of vegetation through the bird nesting season (March to August) unless the absence of nests has been verified (iv) pond removal to be undertaken under supervision of suitably qualified ecologist and avoidance measures to be employed to safeguard newts and amphibians

7.8 Lead Local Flood Authority:

No objection subject to a condition requiring drainage scheme to be agreed

7.9 United Utilities:

No objections subject to conditions relating to; (i) Foul and surface water to be drained on separate systems (ii) Surface water drainage scheme to be agreed (iii) Scheme for maintenance and management of surface water drainage system to be agreed

8.0 CONTACT OFFICER: Martin Kenny, Principal Planner, Development Management

9.0 DATE PREPARED: 10th September 2018

9.0 SUMMARY OF REPRESENTATIONS:

Objection Richard Prest, Ramscroft House, Meins Road, Blackburn. Rec – 04/05/2018

Dear Martin

Planning Application 10/18/0396

Full Planning Application – Residential Development of 5 no. Dwelling (sic) following demolition of existing buildings. At Land and Buildings off Billinge End Road, Blackburn, BB2 6PY.

I am not writing to comment on the above application as invited in your letter of 27th April 2018.

The purpose of this letter is to point out the ambiguity and confusion in the detail of the application which has resulted in a number of adjoining property owners to question ownership issues.

I must make it clear that whilst I have had some discussions with a representative of the applicants, I have, in my own capacity and on behalf of adjoining owners made it clear to the representative that the land north of Woodgates Road, west of Ramscroft House and Woodgates Farm, extending as far as Woodgates is **not for sale**. So that there is no confusion I can confirm there is no contract for sale in place or in circulation for this land.

A number of the detailed plans within the application documents show the field in question within a red edge. Furthermore, the northerly boundary of the proposed 5 new dwellings encroaches beyond the current physical boundary of the properties it is proposed to demolish. From my enquiries of adjoining property owners, no notices have been served upon them and the ownership certificate on the application forms makes no reference to third party ownerships in question.

No site notices have been displayed by the applicant or press notices to notify unknown or unregistered land owners

In conclusion, I must question the validity of the application.

Please consider and respond – you will appreciate that this point is important with particular reference to the 21 day consultation period referred to in your recent letter

Objection (2) Richard Prest, Ramsgreave House, Meins Road, Blackburn. Rec – 29/05/2018

Dear Martin

**Planning Application Reference No 10/18/0396
Residential Development of 5 Dwellings following Demolition
of Existing Buildings at Billinge End Road, Blackburn BB2 6PY**

I'm responding as the owner of a property situated adjacent to and on the north side of several of the eight properties which it is proposed be demolished to make way for five virtually identical unusually large family homes.

My principal concern is the lack of detail demonstrated by the applicants in relation to a comparison between existing roof lines and proposed roof lines of the proposed five individual properties.

My property is located between Woodgates Road and Meins Road and will be directly overlooked by one if not two of the properties in question, and my property is significantly lower in height due to the steep topography.

Whilst the proposed development is within the Borough's published guidance in relation to distance between overlooking windows, the minimum distances do not reflect the topography of the steel hillside situation.

Reassurance that the most easterly properties will have no higher roof lines than the existing dwellings would be a reassurance.

However, my fundamental objection is the wider breaches of the planning authority's stated policy on detail and interpretation offered in previous planning applications for infill plots between at least two of the subject properties.

Less than five years ago an application for a modest sized infill house was recommended for refusal on the basis that these eight individual properties were all situated within large garden curtilages which formed part of the important street scape, which it was felt worthy of retention.

The eight properties it is proposed to be demolished offer a snapshot of the Towns development throughout the 20th century.

The Braids is a fine example of an Edwardian/Arts & Crafts individual architect designed house of substantial proportions, elements of which are also mirrored in the other two storey dwellings to the west – Highwood, Thorpe, Woodhenge and Silverdale.

Several of the houses exhibit typical architectural characteristics and features of the immediate pre and post second world war era, and several are believed to have been the work of one local architect.

Such features as prominent tall chimney stacks, steep pitched Cumbrian green slate roofs and cut stone window surrounds.

The most westerly property is a fine example of a later 20th century bungalow with eyebrow dormer and a largely original rockery/conifer garden of notable interest on the north side.

The applicants planning statement is grossly inaccurate in suggesting that these five replacement dwellings "are slightly larger than that of the existing dwellings" is in reality grossly misleading.

The gross internal floor areas quoted clearly indicates that these dwellings will have a gross internal floor area of just under 1,000m² (just over 10,000ft²).

In addition there is a further 100m² of garage/under-croft i.e. each house will have an overall floor area of 11,620ft² x 5 = 58,000ft² of floor space.

From my own knowledge of domestic high-quality housing within the Blackburn area, I would judge the average size of the eight properties to be demolished to include garages, to be no more than 26,000ft² (3,250ft² per dwelling) and this is a generous estimate bearing in mind that both Westwood and Boxwood (the most easterly properties) are relatively modest.

The proposed five dwellings therefore represent a doubling of floor space.

The five dwellings are less than 10 metres apart and will clearly therefore dominate the individual plot curtilages.

It is a relevant planning consideration that these eight properties are highly visible from a number of important landmark view points to the north – Mellor, Longridge Fell and Fairsnape/Parlick.

At present the tree cover between individual properties provides a natural break between each house but clearly the visual effect from some distance away, particularly at a slight oblique angle will be of a terrace of five mansions of identical appearance, in effect therefore a terrace or parade of urban style housing in an otherwise rural suburb.

Billinge Wood to the south has an important status in the Local Plan and the land to the north is designated greenbelt.

I would argue therefore that by any objective test, this proposed development breaches many of the specific policies and guidance set out within the Local Plan and accompany design guidance.

I would also argue that the demolition of eight perfectly sound well maintained houses cannot comply with the general aim of sustainability.

The applicants' aspirations to construct five impressive homes could relatively easily be achieved by sympathetic extensions to some and the localised demolition and redevelopment of other plots.

For example, demolishing Boxwood and Westwood would create a plot for a reasonable sized house, The Braids is itself capable of being extended on to its former tennis court (an existing building plot) and in similar fashion the properties to the west could be rationalised/extended without losing the interesting individual character of some of the more notable properties.

I hope these concerns will be given serious consideration by the Planning Authority.

Failure to consider published policy and guidance will clearly leave the Authority open to independent review.

I would ask that you keep me informed as to the progress of this application.

Objection Richard Crest, Ramscroft House, Meins Road, Blackburn. Rec- 03/08/2018

Dear Martin,

App No 10/18/0396

Many thanks for the opportunity of commenting on the amended application referred to above.

The amended detail, particularly the proposed section drawing ref m17.120 006D reinforces my principal concern highlighted in my letter of June – paragraph 2 “ My principal concern is the lack of detail demonstrated by the applicants in relation to a comparison between existing roof lines and proposed roof lines of the proposed properties”

House Plot 1 is directly above Ramscroft House on the site of the current houses Boxtree and Westwood – both of these existing houses are of 2 storey configuration.

Scaling from the section drawing referred to above the height of plot 1 roof line is 12 metres above stated ground level (the red line on the drawing). Ground level equates approximately to basement floor level at the rear of the proposed house, with basement, ground and first floor above this datum point and the second floor roof space accommodation (i.e. 4 levels of living accommodation) floor to ceiling heights at both ground and basement levels are significantly above the normal measurement of 2.2 metres.

By comparison, the height above ground level of Ramscroft House (to top of ridge) is 7 metres and I would estimate that the roof lines of Boxtree and Westwood are significantly less. Thus the roof line of the proposed “House Plot 1” is likely to be 5 metres above the existing dwellings roof line.

I attended a meeting arranged by our local councillor, Julie Daley, with the applicant and his project manager 3 weeks ago. This specific concern about a comparison of existing and proposed roof line heights was discussed and the parallels highlighted by the debacle in planning / overlooking terms of the demolition and redevelopment of Longacre, Billinge End Road, of which both Julie and the applicant were well aware was acknowledged. The applicant agreed that in his view, this earlier development was of an inappropriate scale.

Consequently, the applicant and his project manager agreed to our suggestion that the amended drawings should include sections / plans to demonstrate more clearly both plot positions and roof heights of both the existing and proposed dwellings. The applicant’s failure to provide such detailed overlays suggests to me that my fears of serious overshadowing at Ramscroft House, from proposed Plot 1 are well founded and understood by the applicants.

Please consider these comments, particularly in the light of the case of Longacre and other recently reported Ombudsman decisions in cases brought against the Planning Authority by neighbours affected by inappropriate development

Objection Jim Waltom, 4 Pall Mall, Blackburn. Rec – 08/05/2018

How can you allow eight houses to be demolished and replaced by five houses. There is a shortage of housing in Blackburn and if this type of application was repeated all over Blackburn it would result in thirty per cent less houses in the town.

Objection Angela Hoyland, Billinge End Road, Blackburn. Rec – 16/05/2018

Dear Sir

I am a resident of Billinge End Road, BB2 6QY. My Husband and I moved here in 1984,

and it was because of the lovely rural location and easy access to town and schools.

I love my home and the surrounding area including the variety of properties that have evolved here over more than a hundred years. The new builds are not varied in any way and again they are properties of little merit apart from the size. I would like the builds to be varied in design and materials with more stone used rather than all brick. The

Planned buildings will not sit in the landscape as well as the present ones and have the

Very real risk of looking like a housing estate.

Objection Mr Martin White, Westmead, Meins Road, Blackburn.

Re - Application Number 10/18/0396

Site Address Land and Properties off Billinge End Road Blackburn BB2 6PY

Proposed Land Use Class C3 Dwelling houses

Development Type Dwellings Minor

I have just recently been made aware of the proposed development 10/18/0396 and would like to raise my objections as follows.

1. My property immediately faces the proposed development yet I was not considered relevant to be advised of the development
 2. The existing seven houses seem to me to be of good stock and in keeping with the quality of the houses that are to remain. The demolition of seven good property's to replace with five property's would seem to go against the councils overall local plans to maintain 4/5 bedroom houses and increase housing stock within the borough.
 3. The existing properties have a broken line of gardens, fences and buildings and is unobtrusive to the eye. The proposal to build a 200m long, (approximately), façade of buildings and fence line on the northern border of the combined properties will create a huge terrace like landmark that will be visible from many miles away.
 4. The site at present contains seven individual properties. The development creates a boundary around all five of the new properties, in effect creating an individual community, isolating it from the neighbourhood.
 5. I would suggest that this is an over development of the site in terms of both bulk and size
 6. The councils own website states as grounds for objection "Is the design of the development compatible with the surrounding area"? I would suggest that it most certainly is not.
 7. The developers approach to TPO's seems to be to manipulate the spirit of the scheme to achieve the development that they want to achieve.
-

Objection W I Woolley, Woodgates, Woodgates Road, Blackburn. Rec – 17/05/2018

Dear Sirs

OBJECTION Ref Planning Application 10/18/0396

I am extremely concerned that the entrances from Billinge End Road to 4 of the 5 plots may damage trees subject to TPOs.

I have tried to suggest way to avoid all this possible damage in exchange of EMAILS with Mr Irfan Ali project manager for this scheme.

But he has refused to agree to any of my 4 proposals.

So I am now formally objecting to these 4 entrances as specified in the Planning Application - affecting Houses 1, 3,4 and 5 .

The following shows what I have done to try and overcome the problem with Mr Irfan Ali – his reply and my follow explaining I am not satisfied that he f refuses to change to location of the 4 entrances

MR IRFAN WRITES TO ME (WIW)

Relocating the entrances would have implications from a highways perspective and the environment more generally, as such it is not proposed to change these at this point in time.

As for the concerns you have noted, please see below for a response to each (HE REPLIES IN RED) :

- WIW First comment :- Access to House number 1 interferes with Tree number T15 on corner of existing Silverdale house.

IRFAN REPLY :- T15 is untouched by the development and retained.

WIW REPLY TO IRFAN:- It is good that this tree will be retained – but according to the plan this tree appears to be very close to the corner of the existing left hand boundary of Silverdale – which is extremely close to the entrance to house number 1. It seems certain that Tree 15 will be adversely affected. The entrance could be moved to avoid damaging T15

- WIW First Comment to Mr Irfan:- Access to House number 3 interferes with Tree number T7 on corner of existing Thorpe house

IRFAN REPLY :- T7 is not a TPO and again is retained in the proposals.

WIW REPLY TO IRFAN:- You say T7 is not a TPO tree. But it is clearly marked as a TPO tree on the Plan I have from Blackburn Borough. It T7 is very close to the right hand corner boundary of existing house Thorpe. The entrance to House 3 seems to be extremely close to this point. So T7 will most likely be damaged. The entrance could be moved to avoid damaging T7.

- WIW FIRST COMMENT to Mr Irfan:- Access to House number 4 interferes with 2 Trees in Copse G1 of existing The Braids house

IRFAN Reply :- Relocating the entrance will affect more trees.

WIW REPLY TO IRFAN :-It seems you are agreeing that the proposed entrance in the Plan will involve felling at least 2 trees in the Copse 1 . Relocating the proposed entrance to avoid damaging any TPO trees in that Copse can be achieved - namely by keeping the entrance where it now enters this plot at the right hand corner of the boundary to the existing house The Braids. If this was done the no trees would be damaged in the Copse G1 covered by TPO of all trees in that area.

- WIW FIRST COMMENT TO Mr IRFAN:- Access to House number 5 interferes with Tree number T1 on side of Billinge End Road of existing small house next to The Braids.

IRFAN REPLY :-T1 is not a TPO tree and the tree is in poor health and has been recommended in the tree report to be felled.

WIW reply to IRFAN :-T1 is a TPO tree as shown on the Blackburn Borough Tree Preservation Order. T1 is a tree in the top left hand corner of the house on the right of The Braids. If the entrance to House 5 was moved a little to the right then this tree need not be felled.

IRFAN Conclusion :-
I hope this eases your concerns.

WIW CONCLUSION --- I am afraid your comments do not ease my concerns. I have made constructive proposals to solve all 4 difficulties . All my helpful proposals are rejected by you . So I will have no option but write to the Planning Officer to oppose your Planning Application when I submit my comments on Thursday (tomorrow) to meet the 21 day deadline for submissions.

Kind regards
Ian Woolley

Objection (2) W I Woolley, Woodgates, Woodgates Road, Blackburn. Rec – 17/05/2018

Dear Sirs

Re Full Planning Application REF 10/18/0396

Objection

I wish to object to this application on the grounds that the 5 dwellings proposed are completely out of scale, appearance and design to all the other houses in this highly desirable residential area. If permitted it would have a most serious effect on the character of the area where 6 of 8 houses to be demolished are all well-spaced between each other with very attractive gardens.

A meeting of neighbours has indicated unanimous and extreme concern for this monstrous development quite apart from the undesirable loss of 3 house as the scheme specifies loss of 8 hoses to be demolished and only 5 to replace - although I would agree that the two houses to be demolished to make way for new house number 5 are of little merit . The local plan is not to reduce such housing – rather it is to preserve and increase if possible.

But several of the other 6 houses have considerable architectural merit and are excellent examples of their type all in top condition – namely **Sheraton** which is a very desirable quite large bungalow with an attractive mature garden and excellent for a wheel-chair bound resident ; ALSO **Woodhenge** is an excellent family house designed by Blackburn's leading Domestic Architect Billy Greenwood with a most interesting garden including many specimen Rhododendrons and Azaleas , a rock garden, a butterfly garden, trees, shrubs and flowers etc. ; Also **The Braids** which is a superb large family house with a mature garden including a large G1 copse of mature healthy TPO trees.

However it is a major concern that each new house is far larger than other houses in the surrounding area. The façade of each house is identical (which is appallingly monotonous) and is approximately 30 metres wide plus the 11 metre width of the garages plus approximately 3 metres for the link between house and garage . This totals a façade width of 44 metres. This leaves only an 8 metres gap between houses - totally out of keeping in the area. The overall appearance will be a solid row of 5 identical houses over 250 metres long - it will look appalling - like some fearsome institution.

To be constructive I believe this problem could be overcome as follows.

If the houses have to be as big as the proposed 407.114 sq metre floor plan then this could be achieved by reducing current façade width of each house by 25 % - ie from

30 metres width to say 22.5 metres width - and increasing the depth to 18 metres from current depth of approx. 13.5 metres . So $22.5 \times 18 = 405$ sq metre floor plan area – almost identical to the plan submitted. Internally the layout could easily be modified to achieve very similar space for all rooms required. Could also eliminate the 3 metre link between the House and Garage. If this suggestion was adopted then the overall width of each house façade plus garage would then reduce from 44 metres to 33.5 metres allowing much more space between houses. This would be similar to other large houses in the area – for example my house Woodgates has a façade width including garage of approx. 34 metres.

Next I would propose that instead of each house appearing to be almost exactly the same external design that it would be entirely possible to vary the external appearance **significantly - so each house would look quite different externally although internally they could be identical.**

Finally I am concerned that 4 of the 5 entrances to these properties from Billinge End Road appear to be too close to TPO trees. I have written to Mr Irfan who acts as project manager for these new houses pointing this out. I have made a constructive suggestion for each of the 4 entrances to overcome the problems. But regrettably Mr Irfan has refused to accept any of my suggestions and says the entrances will not be moved. It seems that any trees interfering with development will be removed regardless of any TPO. We are very nervous about this unacceptable uncompromising attitude to mature TPO trees - recalling the mass felling of trees on the old Bishops House which completely ignored TPOs. I am also concerned that the boundary wall along Billinge End Road may be completely rebuilt. If that happens then more TPO trees will be damaged. This should not be allowed?

The proposals I have made to avoid damage which seems likely to TPO trees at the entrances to 4 of the houses are contained in a separate email to Planning objecting to these 4 entrances. Mr Irfan refuses to move the entrances. So I have no alternative but object – see separate email.

Next we all believe that as this will be a massive 2 year building project (as indicated to us by Mr Irfan) with a great deal of disturbance over a very long time scale in a residential area – that it would be reasonable that tighter than usual restrictions should be placed on all hours of work - including work on site , deliveries, and not least the parking of workmen's vehicles which is out of control at a house development nearby on Billinge End Road.

Finally I am concerned that the scheme is undesirable as it seems to run the risk of creating another gated community on Billinge End Road. Many people of all races in Blackburn are concerned that it is essential to encourage social integration – not racial separation. Without question house owners have a right to reasonable privacy. The Bishops House development has gone too far with extra high walls, solid large and very tall wood main entrance gates kept permanently closed, post boxes on the

outer wall which give no indication which post box is for which house. My own house Woodgates has an open driveway. And low fences either side down the field – so any one can look over into our garden and enjoy our beautiful garden including many people who walk along the Woodgates Bridal Way and along the Public Footpath on the west side of our property. I really hope we can avoid in Blackburn the segregation caused by gated communities.

At all times in this objection I have tried to be constructive to show how each problem can be overcome and not destroy the character of this invaluable special residential area.

I am quite willing to present my objection to the Planning Committee..

Objection W I Woolley, Woodgates, Woodgates Road, Blackburn. Rec – 16/07/2018

I wish to let you know about our total lack of success at a friendly meeting last Saturday July 14th of 3 neighbours trying to negotiate a compromise with Mr Zuber Issa re the huge size and identical appearance of the 5 houses which is causing us so much concern. He refused to budge in any way on this question of size and appearance. As a minor concession he agreed to check the height of the houses and soften the landscaping.

So we can only conclude that the Planning Department in the light of Objections from the Consultation have not asked the Issas to make any modification to the size and appearance of the 5 houses. If they had done Mr Zuber Issa would have told us because he knew how important this issue is to us.

If that is the case then can you explain why the Planning Dept appears to be approving the planned house size and appearance in spite of Planning Guidance? That guidance clearly states “Planning considerations will also take into account the Scale, Appearance, and Design of the proposal --- and the impact of the proposal on the character of the area -----”.

Local residents are firmly of the opinion that the Plan for these 5 houses is not in keeping with any of the other very desirable houses in this prime residential area. And so we conclude that the plans do not comply with Planning Guidance quoted in red above. This was a major complaint which I made in my original Letter of Objection sent to you 17th May. I also sent a separate letter of Objection on the same date about Trees subject to TPOs being damaged by the proposed entrances – which is quite separate. That problem appears to have been resolved.

I hope this query that it appears this Planning Application is not in compliance with Planning Guidance can be resolved. Mr Zuber Issa told us at the meeting that the plans will probably be going out this Thursday for 2 weeks Re-Consultation with neighbours.

Yours sincerely
Ian Woolley

PS. Logically it seems to me that if you were to advise me why I am wrong to conclude that the plans are not in compliance with Planning Guidance then I would withdraw my objection. But if you agree I may be right then I would hope that you could request EuroGarages to submit amended plans as you have done re the Driveway Entrances off Billinge End Road to avoid TPO damage. For example to request a reduction of the width of the façade, at the front and at the rear, by say 25%. And also to introduce significant variations to the external cladding so the houses do not all look the same. This might involve some small delay. But this matter is so important affecting A PRIME RESIDENTIAL SITE IN BLACKBURN – it's a chance in a lifetime to get it right and produce houses which will be a real legacy we can all be proud of.

PPS

You may prefer to reply to me by phone (01254 53294). Or I could meet you as soon as you like at the Town Hall for very short meeting together about the points made above. You may remember I had a short discussion over the phone soon after I sent in my original OBJECTION .

Objection W I Woolley, Woodgates, Woodgates Road, Blackburn. Rec – 10/08/2018

However I find that nothing has been done about my previous Objection as regards the plans violating the character of the area.

So I have reworded my objection to make it clear why I must insist that this matter is given the attention it deserves.

REVISED OBJECTION

Planners are no doubt quite correct that there is nothing in the plans size or appearance which is illegal .

However that is not my objection.

It is about Planning Guidance – which states clearly in what I have read that Planners should -- “take into account the scale, appearance and design of the proposal – and the impact of the proposal on the character of the area”. That may be a matter of opinion. But these new house clearly violate the existing character for several reasons which can be briefly summarised as follows.

The existing larger houses in this area are all individually designed ; are no more than 500 sq metre; are well spaced out between each other; with attractive gardens which also encourage a wide variety of wildlife.

The planned new houses will completely destroy all those attractive features of the area with a 250 metre stretch of 5 mega houses totally out of character with any other house in this top class prime site for senior executive houses .

The new house have no individual features as they are all IDENTICAL as regards the house appearance and gardens ; are just over 1500 sq mtr (ie 3 times larger than is normal in the area); are over 4.5metres taller than any other houses locally; are laid out with very little space between each house in a close packed 250 metre row; and the proposed gardens will do almost nothing to attract wildlife.

It will be unattractive row of terraced housing more appropriate to a city than a rural suburb – totally out of keeping on Billinge End Road.

I have live here for over 50 years and I never thought I would be faced by plans which will destroy a big part of the character of this very special area.

If the existing plans are judged by Planners not to violate the existing character -- then how much bigger would the houses have to be before such consideration would be relevant ?

The revised plans to soften the landscaping does not deal with the basic problem. The Plan for these 5 houses **blatantly disregards** the existing character of the area. And that is an opinion held by all the neighbours I have talked to. **We deserve protection from this sort of development. And the only people who can protect us are the Planners and The Planning Committee.**

Objection W I Woolley, Woodgates, Woodgates Road, Blackburn. Rec – 05/09/2018

Dear Sirs,

I attach a further Objection—the 5th I have sent you. This is because further National Policy Planning Framework only just released July 24th makes it clear that for some reason these plans are being allowed to ignore this National Policy as well as important parts of Blackburn Local Plan Part 2.

My Objection Letter is very clear why I am making such comment— and how I suggest it could be dealt with by deferring consideration of the Plan at the next Councillors Planning Meeting scheduled for Sept 20th. This would allow proper time to make Major changes to the Plans. Then I would hope we can all agree that National Planning Policy and Local Plan Part 2 is being properly observed. If that happens then Local Residents would be pleased to welcome what could be a most prestigious development.

You will be aware that so far you have totally ignored my very serious concern about these houses— that they are completely out of character with all the other very desirable executive houses in the area . I even offered to meet you and withdraw my objection if you could give me proper reasons why the Planning Application does comply with National and Local Policies.

So because no progress has been made on this aspect of my concerns I must advise you that this attached “Objection” document attached has reluctantly been released to the Lancashire Telegraph. It is likely they publicise my concerns— those concerns are shared with many other local residents.

Planning Application 10/18/0396 OBJECTION

5th Letter of OBJECTION submitted Wed 5th September 2018

For the attention of Martin Kenny,

Since the plans first appeared earlier this year I have written previously 4 emails to the Planners in Blackburn OBJECTING to the plans. Firstly on May 17. Then again on 16th July and 25th July and Aug 10th after certain amendments had been made to the plans and those revised plans were subject to re-consultation. My 4th email sent Aug 10th was even more urgent complaining to the Planners that Planning Guidance was still being ignored as regards the size, scale and design of the 5 new houses— if allowed it would have a serious impact on the existing character of the area .

When I wrote those 4 emails I was not aware of the July 24th latest National Policy Planning Framework .But it is an extremely important document , cannot be ignored and adds weight to everything I have said previously.

I am now also aware that it seems Blackburn’s own Local Plan Part 2 is also being ignored as regards essential Core Policies . Please see paragraph on Page 2 named BLACKBURN CORE PLAN PART 2 which appears before my CONCLUSION .

Those 4 emails spelt out in the clearest possible terms my extreme concern that the plans for these five house were completely unacceptable because they were blatantly out of character with all the other prime executive houses in this area of Billinge End Road - particularly as regards their excessive overall size, their monotonous architecture all having exactly the same external appearance , and concerns about all the gardens being destroyed. As such it was clear that the Plans did not comply with Planning Guidance .

A separate email also dealt with the fact that the original plan included deliberate felling of a number of trees subject to Tree Preservation Orders . This was hardly a surprise as the new owners of this amazingly beautiful 250 metre stretch Billinge End Road had ignored TPOs on a massive scale when re-developing a large nearby residential plot – formerly known as Richardson House.

I have not spoken to a single local resident who finds the plans in any way acceptable . They all believe these plans ruin this exceptionally beautiful prime residential area. Many others have also objected pointing out that it is regrettable that 8 houses will be destroyed to make way for only 5 new houses when the Council Policy is that more not less executive house are required . Other Objections have drawn attention to the undesirable appearance of the plans when this row of identical houses are viewed from a distance as one approaches Blackburn.

In my previous Objection emails I have made specific very positive suggestions as to how the Plans could be modified as regards both size and external appearance which might make the plans a lot more acceptable . I offered on July 16th to meet the Planner to discuss the apparent non-compliance with very important Planning Guidance. I also even offered the Planner to withdraw my Objection if he could explain that I was wrong to conclude the Plans did not comply with Planning Guidance . I was never contacted. And I believe that nothing has been done to request EuroGarages to modify the size, appearance and layout of the houses – so they remain non-compliant with Planning Policy.

Several local Residents met Mr Zuber Issa for a very friendly meeting in late July to see if we could persuade him to scale down the size and height of the houses – and also make each house have its own individual external appearance. We explained that the plans for these huge houses were not liked by many local residents and were not in character with the locality. We were told by Mr Issa that the size and appearance was none of our business. He would decide how big the houses would be and what they looked like. He would not budge an inch. So regrettably we made no progress at that meeting.

So why is our group of local Residents so insistent that Planning Policy is being ignored? The National Planning Policy Framework provides Authorities with overarching Planning Guidance – which is upheld on Appeal- has just been revised by the Government on July 24th. It is bang up to date. And says important things relevant to this Planning Application. It is not discretionary.

The advice is very clear. Para 127 in the section headed “Achieving well designed places” states :-

“ Planning --- decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping --- are sympathetic to local character and history, including the surrounding built environment and landscape setting.”

These houses are objectionable in this area because they are so big being over 1500 sq mt when all other executive houses in this area are approx. no more than 500 sq mt and over 4.5 metres taller than other house because they have an extra floor. **They will look monstrously big and by no stretch of any imagination are they “Sympathetic to local character”**. It is also objectionable that the houses are identical in external appearance when they could each have a very attractive individual external appearance - even if internally they all had the same facilities. This is totally out of character as all the other executive houses in this area are individually architect designed and are laid out with plenty of valuable mature garden space between them including lots of mature trees and shrubs essential for all the varied wild life that thrives in this area adjacent to Billinge Wood. The plans submitted look like a long monotonous 250 mt row of houses squeezed together - looking more like an institution as compared to the present charming collection of very desirable executive houses.

Blackburn Local Plan Part 2

Chapter 2 contains the Core Policies. Of these policies 8,9, and 11 are most relevant, with Policy 11 critical. I would specifically refer to para (i) and (ii) in Policy 8 [development and people]; also to paras (1) and (11) in Policy 9 (no unacceptable impact on environmental assets; trees – development expected to incorporate existing trees (irrespective of Tree Preservation Orders) which we believe should not allow felling of over 100 trees as now planned. And most importantly Policy 11 paras 1, 2 and 3 [design – practically every point mentioned in paras 2 and 3 is relevant – but is PRESENTLY BEING IGNORED.] The Plans do not comply with the Blackburn Local Plan Part 2. We believe this should not be allowed to happen.

VERY URGENT CONCLUSION .

Because the plans clearly do not comply with both the latest July 24th National Policy Planning Framework and the Local Plan Part 2 -- I am suggesting that the right and proper thing to do is to defer consideration of this Planning Application at the Sept 20th Planning Meeting.

This would allow proper time to make MAJOR changes to the Plans in order that we can all agree that National Planning Policy and the Local Plan Part 2 is being properly observed.

At the moment it seems that these plans for some reason are being allowed to ignore both the new National Policy Planning Framework and Local Plan Part 2.

I have lived in this area of Billinge End Road for 54 years. I never thought this area could be under such a threat as posed by this non-compliant development. The plans must surely be revised so that local residents would be pleased to welcome what could be a most prestigious development.

Local residents should be able to rely on Planners and Councillors to protect us from plans which do not comply.

Objection Aidan & Deborah Broughton, 9 Pall Mall, Blackburn. Rec 17/05/2018

We wish to object to the above proposal on the following grounds

- It is stated that the properties that are to be demolished are architecturally insignificant. The properties were generally built in the early part of the 20th century, they are of good quality and design and they fit into general area. If they are to be demolished another part of Blackburn's heritage has gone. Has Blackburn not lost enough of its heritage in the last 40 to 50 years?
 - The proposed properties are all the same, with no individuality or character. They are too large and they would take over the landscape and not blend in. They are generally designed the same as all other new developments in Blackburn.
 - Government policy is for more houses to be built, why are eight to be demolished and only five replacing them.
 - The impact on the local environment would be dramatic. Where would all the rubble etc go, the huge amount of waste involved would take up a large part of the local landfill sites.
 - The site is approached by a narrow country lane, the amount of wagons taking away the waste, and wagons bringing in new materials would be enormous and have a significant impact and danger to all the other road users in the area.
 - Local wildlife and trees would be greatly affected.
-

Objection Mr & Mrs P J Clancy, Pittarrow, Meins Road, Blackburn. Rec – 17/05/2018

Re- Application Number: 10/18/0396

Land and Properties off Billinge End Road, Blackburn BB2 6PY
Proposed Land Use - Class C3 Dwelling Houses
Development Type – Dwellings Minor

We, like several other local residents, have just been made aware of the proposed development 10/18/0396. Our objections are as follows:

1. The line of properties on Meins Road running below and parallel to the proposed development were not advised by the Planning Department even though they will have a clear view directly up to the development.
2. The majority of the eight houses to be demolished are attractive, well built houses with significantly varied architecture which is characteristic of the Billinge End Road/Meins Road area.
3. The proposed five new dwellings will have a continuous perimeter wall round them. This will create an individual community, as at Billinge Wood Park. This wall and the size of houses behind it will be seen as a continuous block of a building from the North as far afield as Longridge.
4. There is huge a shortage of executive homes for the people of Blackburn to live in and replacing eight with five will encourage more migration to the Ribble Valley.
5. There is no doubt that the design of the development is totally incompatible with the surrounding area both in size, style and plot size.
6. The local residents are all united in their huge concern for the destruction of long established trees, hedges etc. and the affect this will have not just on the overall look of the area but also on our native birds and wild animals who both live in our gardens and use them to safely pass through them on their journeys.
7. As seen with Billinge End Park the developers disregard for TPO rules in the past is hugely worrying.

We would, of course, be happy to discuss our concerns with you.

Objection Gwyn Williams, Linden, Woodgates Road, Blackburn. Rec 01/05/2018

We've noticed plans have been submitted for the construction of five large houses on Billinge End Road.

We live in Linden, which is the house adjoining the proposed construction on the Western side.

Based on an initial look at the plans submitted we have two concerns:

- 1) We're not sure how the new house next to ours would affect our view. We currently have un-obstructed views of Pendle Hill and we would not want to lose this.
- 2) It looks like the bridal path on Woodgates Road is being reduced in width. We just want to check that this is not the case.

Please could we have an opportunity to discuss these points?

Objection (2) Gwyn Williams, Linden, Woodgates Road, Blackburn. Rec – 29/05/2018

Dear Sirs,

Whilst appreciating the substantial investment in our neighbourhood that this planning application represents, we'd like to raise some concerns and queries.

1) The existing houses and gardens are part of a well known and much loved area of Blackburn that I believe the whole community is rightly proud of. The proposed houses in this application are out of keeping with this character; in particular the large scale and also the fact that the five houses are identical.

2) The trees of Billinge woods extend into all of our gardens along Billinge End Road and help our houses blend into the surrounding countryside. We would kindly request the Planning Committee ensure all healthy protected trees are preserved.

3) The height of the proposed houses is not clear to us. Could we request the Planning Committee ensure the height of the new houses is not more than the current houses?

4) We're fearing considerable disruption during the building period. Please could we request the Planning Committee lay down restrictions to working hours and type of building equipment used - this is both for the sanity of the neighbours and protection of the wildlife living in this area.

We'd be happy to provide further details if required.

Objection (3) Gwyn Williams, Linden, Woodgates, Blackburn. Rec – 03/08/2018

Dear Mr Kenny,

Further to my other correspondence on this subject I would like to re-iterate the following concerns:

- the scale and uniform appearance of the proposed houses remains out of character with the rest of this neighbourhood and we still feel the council should control this.

- the height of the proposed houses is still not clear to us and we are worried they will tower above existing houses, including ours.

- we've noticed that the requested working hours on this development be 7am to 7pm. We feel this is not appropriate for a development in a residential area such as this. Could we request this be limited to 8am to 5pm Monday to Friday and up to 1pm on Saturday?

- we have a concern about the location of a works compound for this development. As our house (Linden) and Woodgates both on Woodgates Road are the only properties bordering this proposed development we would like to request the compound be situated away from these properties.

Objection Mark Tuchmann, Tanamera, Billinge End Road, Blackburn. Rec – 18/05/2018

Dear Mr Kenny, I live at Tanamera, Billinge End Road, Blackburn, BB2 6PY. I wish to object to the above Planning Application Reference 10/18/0396, 'Full Planning Application-Residential development of 5no. dwelling following demolition of existing buildings At Land and properties off Billinge End Road Blackburn BB2 6PY'. I did not receive a letter from you about this application even though I live at the same postcode. I regularly walk along Billinge End Road past the existing buildings due for demolition, if the planning application is approved. I have not seen any planning application public notices displayed in this area, as is usually the case and did not know of the planning application until a neighbour brought it to my attention. These eight handsome houses which could be demolished are of historical interest, are all individual in their designs, are set in beautifully landscaped gardens and are a pleasure to walk past and greatly contribute to the area. I am also concerned about the potential loss of mature trees growing in the gardens of these eight properties.

The five proposed properties are larger than the existing ones and are all of the same design and would not enhance the character of this area. I would ask the planning department to turn down and not approve this planning application. Thank you for your kind assistance in this matter.

Objection (2) Mark Tuchmann, Tanamera, Billinge End Road, Blackburn. Rec – 01/08/2018

Further to my email to you of 18th May 2018.

I understand that further comments can now be submitted to you.

My original email to you stated:

I live at Tanamera, Billinge End Road, Blackburn, BB2 6PY.

I wish to object to the above Planning Application Reference 10/18/0396, 'Full Planning Application-Residential development of 5no. dwelling following demolition of existing buildings At Land and properties off Billinge End Road Blackburn BB2 6PY'.

I did not receive a letter from you about this application even though I live at the same postcode. I regularly walk along Billinge End Road past the existing buildings due for demolition, if the planning application is approved. I have not seen any planning application public notices displayed in this area, as is usually the case and did not know of the planning application until a neighbour brought it to my attention.

These eight handsome houses which could be demolished are of historical interest, are all individual in their designs, are set in beautifully landscaped gardens and are a pleasure to walk past and greatly contribute to the area.

I am also concerned about the potential loss of mature trees growing in the gardens of these eight properties. I understand that even more mature trees would now be felled if the planning application is approved. This should never be allowed.

The five proposed properties are larger than the existing ones and are all of the same design and would not enhance the character of this area.

I also understand that the demolition contractors are seeking operation hours of 7am to 7pm (Monday to Friday) and 7am to 2pm (Saturday). Billinge End Road is already too busy at times with school traffic and commuters and these operation hours should not be granted to the demolition contractors.

I still ask most strongly that the planning department turn down and not approve this planning application.

Thank you for your kind assistance in this matter. _____

Objection Mrs M Bolton, 15 Chapel Lane, Hoghton, Preston. Rec – 18/05/2018

Dear Sir

I wish to object to the above proposal.

The size of the development far out ways the setting. I grew up at 'Boxtree' and I still frequent the area. All the houses in the proposed development site have their own character and some are sheltered/made private by well established trees and woodland. This all adds to the character of the area, especially with Billinge Woods being opposite. If high walled, gated developments continue to be built along Billinge End Road it will change the area irreversibly.

Should the Planning Department approve this application , assurances have to be made that the existing trees which are earmarked for retention are retained and not felled as was allowed to happen at the development of the old Richardson House site lower down Billinge End Road.

Objection Allen & Lindsay Evans, Southworth, Billinge End Road, Blackburn. Rec – 20/05/2018

To Whom this May Concern.

Having seen and noted the recent above application, we would take this opportunity to express concerns about a number of aspects of the proposal.

Firstly, it is our concern that a development such as suggested will have a very detrimental effect upon what is a lovely area of our town.

The houses on Billinge End Road are each unique, attractive and, over the years, the progressive addition of properties in a proportionate and tasteful manner has led to them becoming woven into the fabric and the character of the town. People who live in the area have cherished their homes and the community in which they are located, brought up families there, in a beautiful location which forms a vital blending of the town area of Blackburn with the surrounding countryside.

Areas like this section of Billinge End Road have not developed overnight but grown over generations into the fabric of the district surroundings. They have, at the same time, provided pleasure and amenity, not just for those who live in the area but for others who may wish to come and visit this part of the town for whatever reason – it is not just a nice place to live but it is a nice place to be!

Having viewed the plans for the new properties we feel that they are garish, over-stated and distasteful – characteristics which no council should be wishing to impose upon the town or its residents.

The architects concerned suggest that the current properties are “of no significant architectural value!”

Difficult to accept having seen what they propose as a replacement!

We would further suggest that, the destruction of EIGHT properties in order to build five is not an appropriate suggestion given that, as a whole, the country has a current, enormous net deficit between the number of available properties and the number of people requiring them.

This does not make sense!

Further to this, we feel that, as representatives of ALL the people in Blackburn, the council needs to consider and account for the huge net deficit this project will create in terms of the "carbon footprint" it will create. Is this necessary? Is this appropriate? Is this part of the remit of the council's responsibilities to consider?

What are the council's proposals for the maintenance of Billinge End Road whilst this work is ongoing? The road is currently in poor condition, much of it having no footways or pavements. It is used constantly by horse riders, walkers, cyclists etc. All the houses in the area, excepting the others previously built by the Issa brothers, have been built at different times over a hundred years or more and with minimal disruption.

Are the council insisting on any "affordable" homes being built, given that this is effectively a new development of "luxury, executive" homes, what provision is being made for "balance?"

These are all questions which we feel the council needs to answer here and now, prior to any consents being given.

In consideration of our own property and the issuing of warnings prior to this project:

We feel that we should have been included in the consultation process which has been evoked. Our reasons for saying this are primarily due to the size and the extent of this development. This is no small scale undertaking, it is likely to disrupt the area for some considerable time and, given the previous track record of the applicants when building other property in the area (which I will come to shortly), we feel it is the duty of the council to have considered us from the outset, given that we are directly on the only access road to this proposed site and will be subject to disturbance on a huge scale.

Why has this not happened?

Further to my point about the previous track record of these people in Billinge End Road:

Let us not forget that these are the same people who previously acquired the site at the old Richardson House! Since their arrival at Billinge End Road, the Issa brothers have been ambassadors for segregation, not something this council should be promoting.

Their building efforts have resulted in Billinge Wood Park – effectively, a fortified compound of houses built solely for one family which never interacts with anyone in the surrounding community.

In fact, their only communications with other community members are done via agents, only interacting with other residents when they want something – as has been the case in acquiring the eight properties in question here. Incidentally, the gate house at this development has never been finished off and has been left in a dilapidated state, simply because it isn't of immediate use to the Issas – again, this does not demonstrate any interest in community or amenities.

Does Billinge End Road really require more of the same segregationist housing to be built?

Does Blackburn require this at all?

Since their arrival at that location, they have proved that they simply cannot be trusted to comply with any rules and regulations which govern the rest of us.

Wholesale demolition of trees and the disruption of wildlife, traffic and the lives of their neighbours, erection of scaffolding in the middle of Billinge End Road, unregulated highway obstructions, all undertaken without any consideration for acquiring the proper permissions, have been the trademarks of the Issa brothers, ever since they began the demolition of Richardson House.

In that case, they were seen to ride roughshod over the authority of the council planners and were never sanctioned in any way, despite the wilful destruction of the ecology in the area. The perimeters of this compound are deliberately netted to prevent wildlife moving around and we feel that adoption of the same kind of methods will be inevitable at the new location.

This will potentially be far more disruptive to wildlife, given that this area has a number of deer, badgers etc, often seen in the grounds of houses in the area, as we regularly do so at Southworth.

How does the council propose to deal with the free access to the section of Woodgates Road which runs at the rear of these proposed houses? This is an access only road but is also a bridle path used frequently by walkers, cyclists and horse riders. The council has recently spent a lot of money to attract cyclists and walkers to the area with the cycle track and Weavers Way initiatives in the locality.

This scheme will surely have an adverse impact on those activities will it not!

We would ask that the council should consider past experiences with these people and the way they treat others in the community. Hopefully this will weigh heavier than simply considering how many business interests these people have in the Blackburn area.

Finally, the suggestion to remove numerous mature trees from the new site despite the fact that most of these are protected by TPOs made by this very same council in the past. It should be noted that, in 2014 we made a very small planning application for our house "Southworth," which is also covered by these very same TPOs.

Our application was to remove two, very poor quality Sycamores in order to create a small annex to accommodate our elderly parents, both in their eighties and very frail. This was for the very best of motives for two people who have given and paid in to Blackburn with Darwen all their lives and now need support. This was immediately pounced upon by council officers including your tree consultant Russell CRITCHLEY and the Planning Department and we were denied permission.

Mr CRITCHLEY has also been instrumental in protecting very poor quality trees in Woodgates Road recently and preventing residents from having them pruned or felled. These trees are within the same TPO as the ones this plan proposes to remove so we would ask the council to please explain why the felling of approaching 60 trees could possibly be deemed appropriate in the case of this application?

We would expect from the council, a very clear explanation of any inconsistencies in these cases and full justification to be provided. These trees have taken much more than the lifetimes of the Issa brothers to grow and develop so it is our opinion that their split second desire to remove them forms no kind of justifiable plan.

In our view, development should take into account ALL the existing trees, as the council has previously insisted upon this in other cases highlighted here.

Recently, we had a visit from a planning officer (who I could name if necessary) about another planning application nearby and my wife and I were told,

“It doesn’t matter whether these people get permission or not! They just do it anyway, knowing they will not be challenged by the council and then get retrospective permission later”

Hopefully, this matter will get proper consideration!

In closing, we would also ask this question:

“Why is it that anyone would want to move into a rural area and then choose to urbanise it by destroying the very features which make it attractive?”

We would ask that the council finds us an answer to this question, prior to considering any permissions for this development.

Objection Mrs E Beaumont, 7 Billinge End Road, Blackburn. Rec – 22/05/2018

Dear Sir,

I am writing with regards to the above planning application, which, as you will see from my address will have huge impact directly on my neighbourhood.

It is quite shocking to know that it is deemed allowable that 8 large period family houses that are in pristine condition, well designed and with beautiful mature gardens, should be allowed to be demolished and be replaced by 5 newly built homes. I understood that the council has a policy of increasing the areas stock of these type of family homes, not reducing it.

The five houses under threat of demolition is seen by residents of the area, and the many who spend their leisure time walking, running, cycling and motoring in this part of our borough, as an aesthetically pleasing environment with the established gardens and trees attracting wildlife. This group of house forms a feature that any town would be proud of and has added to the diversity of homes in our area. The mass demolition of these beautiful dwellings and their gardens is a shocking act of destruction. I understand that the architectural value of some of these properties also should be considered, having been designed by architects of historical note.

I believe that included in the application is the felling of 60 mature trees. Again I find it appalling that a council which highlights and promotes the importance of preserving the green spaces and conservation of nature in our borough, should agree to this desecration of an area of natural beauty. Three years ago the residents of Billinge Side applied to the council to reduce the height of a number of trees directly facing our row of cottages. We are trustees of the field facing Billinge Side, the trees were within that land and had grown to block the much loved views from our cottages. We did not wish to fell the trees, only reduce their height. We were refused permission on the grounds that we needed to preserve trees in this area. In the short time since then, I have to ask you if this policy has changed? Are the council now going to agree to **60** mature and beautiful trees, only a few metres from the ones Mr Critchley was so adamant should be preserved, being felled.

Compared to the previously mentioned issues the one I am about to raise is less significant, as you would argue it is short term, but none the less important to resident and users of Billinge End Road. The amount of traffic/plant associated with this planning proposal will be huge and very disruptive to road users. This disruption(and often danger) is currently being experienced with the present building development taking place on our road at the very tricky corner where a huge modern house is under construction – I am sure you are very aware of the building to which I am referring. Daily, myself and other drivers travelling towards the junction of our road and Preston New Road, face large vehicles and plant parked on a dangerous corner, to say nothing of the hazards facing pedestrians there. We are now faced with similar prospects should this planning application be successful.

I feel the council should take a very careful look at the implications of this proposal and the impact on an area of such unique character in our town. It is bewildering why these beautiful houses are not on the market for families to purchase and allow residents to enjoy the amenities of the stunning location they offer, in accordance with what our council promote as their housing policy.

Please seriously consider the refusal of this planning application.

Objection Dr John Merrill, Kenolbri, Meins Road, Blackburn. Rec – 23/05/2018

I am writing to express concern over the above planning application.

Having grown up on Billinge End Road and my Grandmother living in one of the properties earmarked for demolition I have fond memories of the area. The stretch of Billinge End Road between both ends of Woodgates Road has some of the most desirable and disparate properties in Blackburn that have beautiful views over the across the Ribble Valley. They can be seen not just from Woodgates Road and Meins Road, but from miles to the north. In the proposed plans, eight of the twelve properties along the northern border of Woodgates Road will be replaced by five enormous and identical buildings of doubtful architectural merit that will, to my mind, constitute an eyesore.

Billinge End Road in its entirety will become less desirable as a place to live for those of well above average means and this is likely to have repercussions for attracting and retaining investment in the town.

In recent years one property of outstanding architectural merit has been built immediately to the west of the proposed developments and the next three properties have been substantially enlarged whilst retaining the character and facades of the original buildings. If a similar approach was taken for the proposed development my concerns, and most likely those of other local residents, would be satisfied.

For example:

- the two houses to the east could be demolished and replaced by a new build
 - the Braids (the largest house on Billinge End Road and to my mind the most beautiful) could be retained
 - two of the next five houses could be demolished with the three that remain subjected to architecturally sensitive modifications that significantly increase their size whilst still being in keeping with the area
-

Objection Ian Riley & Julie Hall Rec – 24/05/2018

Dear Sir/Madam

We hereby raise our objections to above proposal on following grounds:

- Environmental impact of demolition of eight houses (all in excellent condition) therefore use of unnecessary building materials & removal of sound building materials probably to end up in landfill sites
 - Environmental impact to wildlife by large scale clearance of mature shrubbery and trees (this is evident on plans – much to be replaced by patio areas and pathways) This will FOREVER destroy the micro environment/habitat of many species of wildlife found in the Billinge Side area. The plan shows retention of some trees but removal of adjacent trees may lead to the established nests being abandoned or harmed, which is a breach of the “Wildlife and Countryside Act 1981”.
 - Detrimental impact of building 5 large properties that are not in keeping with the natural beauty & character of Billinge Side area
 - Destruction of some character property, some buildings ARE of historical interest and are part of Blackburn’s rich & interesting heritage
 - We also query if the Arboricultural Officer, Mr. Russell Critchley CAN justify any removal of “worthy” trees (as in above planning application) BUT when Billinge Side Trust tried to have trees that were obscuring view enjoyed by Billinge Side residents, & numerous walkers and cyclists simply “trimmed” NOT removed, a TPO was imposed protecting every tree around perimeter of field opposite Billinge Side Cottages. We find this EXTREMELY contradictory.
-

Objection John Aspin, 5 Billingside, Blackburn. Rec – 28/05/2018

Dear Sir/Madam

I'm writing in reference to the above Planning Application to demolish eight dwelling houses on Billinge End Road & replace them with five enormous identical Mansions. I normally support redevelopment of the town but this particular scheme is totally unnecessary & unwarranted in my view. The existing houses are not slums, they form part of the unique character of Billinge which has evolved over many decades into one of Blackburn's most aesthetically pleasing & desirable residential environments; an interesting mix of architectural styles in the midst of mature gardens, in scale and at one with the surrounding countryside.

I've lived in Billinge for thirty two years & I feel that these houses & their gardens constitute an essential component of the heritage of Western Blackburn and I'm very disappointed that their owners consented to sell them knowing their probable fate.

I think for the council to allow them to be torn down to indulge a Vanity Project would amount to Cultural Vandalism. It would inevitably involve the mass felling of mature trees, further environmental damage caused by hundreds of tons of rubble & building materials being transported in & out, disruption to local people's lives due to noise pollution and traffic chaos on Billinge End Road for months if not years.

I cannot believe that all this is reconcilable with the stated aims of Blackburn with Darwen's 'Core Strategy' and would urge you to reject this grandiose scheme and save one of the finest corners of the Borough from destruction.

Objection (2) John Aspin, 5 Billingside, Blackburn. Rec – 03/08/2018

Dear Sir/Madam

Ref your letter of 19/07/18 detailing amendments to Planning App 10/18/0396, I can see no significant changes to the scale of the proposed development or its impact, therefore my initial objections detailed below still stand. I would not be opposed to the demolition of 'Boxtree' & 'Westwood' but strongly object to the other six houses being demolished.

If this development is given the go-ahead as I suspect it will, I think the hours of working should be restricted to 8am till 5pm Mon to Fri & 8am till 1pm on Saturdays.

Objection Nancy Olander, Billinge End Road, Blackburn. Rec – 26/05/2018

When I first moved to Blackburn from Bournemouth in 1962, Billinge End Road felt like home. It is one of the most pleasant places to live in Blackburn, if not the most pleasant. Over the past hundred years, hard-working, successful members of the community have built houses which take advantage of the sweeping views over the Ribble Valley to the north and woodland to the south.

These houses, mainly built between the wars, are large but manageable and, in many cases, have beautiful gardens. They have mostly been lovingly maintained and have merged over time into a peaceful, leafy environment so that anyone walking along the road (and many do) is presented with views of interesting gardens and various very different houses - a pleasant scene en route to the open country of the Yellow Hills, all within five minutes' walk of the centre of Blackburn.

The current application to demolish eight of these houses and replace them with five very large (identical) ones seems to go against common sense since Blackburn is particularly short of houses in the category which the eight represent. The proposal for this mass demolition totally sweeps aside consideration of any possible merit in the existing houses: some of them must be of historical interest, representing as they do a period and style of building which can never return and this interest will become even greater in the future.

A further cause for concern is the certain destruction of a large number of trees, many of which must have tree preservation orders on them. I thought that Blackburn was keen to keep its trees and not allow them to be destroyed at will.

However, my main objection to the proposed development is based on my understanding that these five new (identical) houses will not be for sale on the open market. If I am right, the proposal is to construct a self-contained walled, gated estate for the family and friends of the new owner, thus removing a large area of the best real estate in Blackburn from the public domain - what arrogance! Surely the council cannot accept a proposal so clearly against the interests of the public in this area as a whole. We do not need enclosed, gated communities - as many people as possible should be able to enjoy the beauty of a countryside atmosphere so near to a town.

Objection J Alcorn, 2 Pall Mall, Blackburn. Rec – 29/05/2018

Re: planning application 10/18/0396

I was disappointed to learn of the proposal to demolish eight individual properties (each different in design and together presenting an interesting variety of architecture) which add character to Billinge End Road and replace them with five much larger, near identical, residences. The visual impact to both Billinge End Road and Woodgates Road will be substantial.

Particularly concerned about the impact on the environment, I would ask that **any** development here retains the many mature trees that stand within the existing plots which not only enhance the surroundings but are also very important to wildlife.

With safety in mind it is important that the broad strip of land (from the garden walls at the front of the existing properties to the road edge) remains obstacle-free and accessible to pedestrians.

A good number of people – and not just local residents – walk along this road. It makes safety sense for them to have an alternative to walking in the roadway itself which is busy at peak times (work/school runs) but which, even at quieter times, sees vehicles traveling at well over the 30mph speed limit.

Finally, it would be appreciated if any development (which will undoubtedly be a lengthy and disruptive process) fully takes into account pedestrian and traffic safety, and the on-going state of the road and surroundings.

Objection Rebecca Walsh Rec - 31/05/2018

I am writing regarding the application process which is taking place for 5 houses at Billinge End Road. I have family living in the area who are devastated by these plans. This is an area of natural beauty and green belt. The views would be ruined and character of the area as well.

I live in the Netherlands now and showed these plans to a number of Dutch planners in the South of Holland. They were astounded that these plans would even be considered.

Objection Paul Fletcher, Woodgates Farm, Meins Road, Blackburn. Rec – 31/07/2018

Martin,

Further to our discussion yesterday (thank you for your time) I would like to record our objection to the working hours requested within the subject application. There is going to be a considerable amount of noise, from a very large building site around fifty meters from our back door for several years during the demolition and construction phases.

It is unacceptable therefore for weekday hours of seven to seven (plus extended Saturday hours) to be requested by the land owners.

We would hope therefore that the Planning Team at BwD would consider our own position and that of the surrounding properties, by reducing the permitted working hours to eight through to five/six for the working week, and nine to one (if absolutely necessary) on Saturday. Would you also please give consideration to how the building sites will be "lit" during the months with limited seasonal daylight.

Would you please confirm that you have received this email.

Objection Ian Whalley, 1 Billinge Side, Blackburn. Rec – 29/05/2018

Dear Sirs,

Planning Application – Residential development of 5 no. dwelling following demolition of existing buildings at land and properties off Billinge End Road Blackburn – ref: 10/18/0396

My initial reaction to discovering there was an intention to demolish 8 houses along Billinge End Road was one of complete shock and horror. For me, these houses are part of our local history; they are embedded in the local landscape. They are part of the place where I have lived and continue to live. I first walked past them in the 60's on my way up to Yellow Hills. In the 70's my friends and I would admire them on our way to the Clog and Billycock (then called the Bay Horse, but since reverting to its original name). In the mid-90's I came to live on Billinge Side, a beautiful area of town and these houses part of its heritage.

The more I thought about it, the more incredible the plan seemed. I couldn't believe that such an extensive, intrusive, destructive scheme could possibly be compatible with the town's planning strategy. So, I had a look at it. The Core Strategy [2011] did actually give me some reassurance. But it is still very worrying to think that despite the vision and principles it lays out, the Council (some of its Councillors and/or planning officers) have given enough of a nod to let these people invest millions and make the matter a fait accompli. The letter of notification I received said only comments relating to planning considerations will be taken into account when deciding the application. Having read the relevant sections of the Core Strategy document, I can only conclude that if the Council did provide encouragement to these people at the pre-planning stage then it was not based on such planning considerations. Of course, the elephant in the room here is money, lots of it. Maybe these people are philanthropic. But it would not be right to reward that by ignoring the principles laid out in the planning strategy. Let me now turn to it.

The first point relates to the Council's concerns over the shortage of supply of large and higher market houses. On p.87 at para.8.22 it says, "***The Borough is significantly under-represented in large and higher market houses. 9.9% of housing stock has 4 or more bedrooms compared to the national average of 34%, and only 12.95% of properties in Council Tax Band D or above, compared to 20.79% across the North-west. This lack of accommodation for high-wage earners has a knock-on effect on the economy...Addressing this shortfall is a key mechanism by which economic transformation will be delivered.***"

Reducing 8 houses to 5 clearly does not fit in with the strategy.

There are other things I could say about the reduction aspect. Firstly, it is obvious that the proposed development is not being carried out for commercial reasons. The houses proposed are not intended for the public at large. The plan is clearly for a 'compound' (similar to the development at Billinge Park), presumably for family members or others closely related. In effect, 8 homes to the outside public will be lost, not 3. Also, the existing houses offer a variety of size and price (from £350K to £1m), which can facilitate a number of different levels of high-income families.

The Core Strategy mentions existing housing stock.

P.93 sets out Policy CS9: "*Strategic housing policy will ensure the overall stock following new housing development will provide a balanced quantity and mix of residential offer to meet the needs of existing residents and attract new residents to the Borough.*" It goes on say, "*In addressing clearance, local circumstances and distinctiveness will be taken into account. Consideration will be given in the first instance to the retention, repair and reuse of properties, which form part of the fabric of the historic local identity and which are valued by the community.*"

I cannot think of a better example to illustrate this latter point. Here we have 8 properties, all forming part of the fabric of the historic local identity. They are all valued by the community.

Demolishing these properties will be contrary to Core Strategy CS9.

We then move on to the environmental effects of such development.

Policy CS13 on p.109: **“Development will only be permitted where it creates no unacceptable environmental impact.”** It then goes on to give examples of such impact. Paragraph 3(v), again p.109 is relevant here. *“Development which results in the loss of or unacceptable damage to environmental resources including habitats...landscapes and built heritage.*

It is against Blackburn with Darwen Borough Council’s CS13 to permit development that results in loss or unacceptable damage to landscapes and built heritage.

The strategy elaborates on built heritage.

Policy CS17 (p.127) – Built and Cultural Heritage and **CS18** (on p.128/9) – The Borough’s landscapes, apply here. On p.128, para.11.6. – *“the area’s built and natural heritage is a major asset in its attractiveness and local distinctiveness. Importantly, this does not relate solely to designated buildings or specified areas. The less distinctive buildings and spaces in between form a glue that joins key features together and are crucially important in maintaining the overall character of our place.”*

P.130 of the Strategy, para.11.10. says, *“some areas are sensitive. Landscape on edge of towns will be protected and in particular the key features that make the landscape valuable and unique.*

There is an important point here, which to me is *the* crucial aspect to all of this. A landscape develops over time; it becomes part of the local community. It gains a cultural aspect. This goes back to what I mentioned before about walking past these properties in the 60’s and 70’s. They are part and parcel of the landscape, embedded within it. They are part of our local heritage and have value as such. They are not there for knocking down on a whim. What I

find most contemptible about this proposal is its utterly ruthless indifference to local community, landscape and heritage. They may well be philanthropic people but the mindset displayed here is the polar opposite.

And then there’s the trees. Please bear with me while I relate the following. I can assure you, it is relevant.

In 2006, a then resident of “Dunscar” on Woodgates, informed the Council that residents at Billinge Side were planning to fell unprotected trees around the field across. (This area is directly adjacent to the present intended development site.) As a result, the Council **immediately** imposed a Woodland TPO, 30-40 trees included. The residents of Billinge Side subsequently tried to vary it. It was submitted that the trees, which had grown from seed could be felled to restore the panoramic views on offer from this unique vantage point. In January 2011, the Council refused the request. An appeal to the Planning Inspectorate followed. An informal hearing took place in September 2011. The appeal was refused on the same grounds the Council refused to vary the TPO, i.e. that Billinge was a “well treed hill” - trees forming an important part of the amenity of the area and should not be removed.

I sent an email very recently to the Tree Protection Officer at Blackburn with Darwen Borough Council. I asked him why the Council hadn't moved as fast (or indeed, hadn't moved at all) to protect the 60 or 70 trees that remain unprotected on the present development site, given the obvious imminent threat to trees, one far more real than that which applied in the Billinge Side Woodland TPO case. So far, I have received no reply.

But what could he say? Why should the Council's attitude be any different? It is clear these people intend to fell almost all the trees within the gardens of these 8 houses, including the few that are protected by the Billinge/Woodgates/Meins Road TPO. These people have form when it comes to tree removal. The mass felling at Richardson House testifies to that.

The mass felling of trees and the demolition of Richardson House gave way to a private estate in respect of which no one benefits other than its owners and guests. It is not a part of the community. It is walled off, isolated and if the current proposal goes ahead it will be just like it, the only difference being that the houses will form a row rather than a square. But the same walling-off would still apply. I object to this proposal first and foremost on the basis that it necessarily would involve the total destruction of perfectly good houses, an act of monumental vandalism. However, I also object to the size, appearance and design of the monoliths proposed. Consult any thesaurus to find adjectives approximating to vulgar, bland, egotistic, unimaginative, gross, materialistic, grandiose. The planning consultants or some other agent working on these people's behalf had the audacity to describe the existing houses as lacking any merit. It is patently untrue. I walk past the houses now standing (like a row of silent prisoners on death row, which may yet be reprieved!). They offer such variety; they are so aesthetically pleasing; their gardens are beautiful (especially so at this time of year). The shock and horror still grabs me. But what truly depresses is the worry of a fait accompli where the Council has already given the go-ahead in all but word and this despite their anticipation of entirely reasonable objections made by local residents, and of course the obvious turning a blind eye to the Borough's own Core Strategy Planning document.

Objection (2) Ian Whalley, 1 Billinge Side, Blackburn. Rec – 07/08/2018

Dear Sirs,

Planning application – Residential development of 5 no. dwelling houses following demolition of existing buildings and properties off Billinge End Road Blackburn – ref: 10/18/0396

I remain of the opinion that the proposal is unnecessarily destructive. I am against it.

I have been informed that the Planning Office received a total of 23 comments from local residents following the initial proposal submission. There were 25 separate households on the Council's 'Neighbour list'. I am aware of at least 2 households who were not on the Neighbour List who submitted comments but it still probably means that the majority of those who were on the list responded. I do not know what they all said but I can say that I have spoken to at least 20 local households (17 on the Neighbour list) and all but 3 said they strongly objected. 2 of the 3 households said they'd like the development go ahead, the reason being their belief that part of the works would be the removal of the unsightly solid row of evergreens planted by the previous owner of Boxtree along its eastern boundary. My study of the latest arboriculture report however suggests this row of trees is being retained, permanently, as a screen.

The updated arboriculture report is more of the same, i.e. requiring tree destruction. A lot of the trees in this report are included under a heading, G (for group). The total trees to be felled is not clearly stated. You have to look at the details for the individual groups, add up all the trees within those groups to arrive at an approximate total. Taking into account all the trees in these groups, along with all the individual trees listed, there are over **100** trees required to be felled. The total required is of course exacerbated by the developers requiring exact equilibrium of distance between driveways (and houses). This is an illustrative example of the destructive nature of this scheme.

Blackburn with Darwen Borough Council's overall strategy is that development is expected to accommodate existing trees.

The Council's strategy also says that development which has an unacceptably high environmental impact will be refused planning permission. Examples of unacceptable impact include but are not limited to: - development which results in the loss or unacceptable damage to environmental resources including habitats, landscapes and built heritage.

Is the destruction of 8 perfectly sound properties (some would say, highly desirable residences) together with their trees and gardens not unacceptable damage to environmental resources (habitats, landscapes, built heritage)?

I do not see how it is possible to argue otherwise.

The proposed build is destructive in another sense. It will ruin the area. It does not adhere to any sense of proportion. In terms of size, scale or appearance the mansions depicted in the plans bear no resemblance to anything around them. The houses immediately in the vicinity, 'Woodgates' on Woodgates Lane and those houses to the west of 'Sheraton' on Billinge End Road/Woodgates are substantially smaller, their designs individual. There has always been a strict policy imposed by the Council on disallowing any 'inbuilding' between these houses (targeted for demolition) because of the need to maintain openness and a rural, leafy feel. 5 huge mansions with little space between them will completely destroy that. Further, it will look like some Victorian asylum institution (or prison) when viewed from places like Mellor or by incoming traffic travelling east along Preston New Road. These properties will not be there in isolation, but, they will certainly look that way.

It will not be a big deal to the developers if permission is refused. If they spent £6.25m acquiring the properties and another few hundred thousand on fees, it is still only small change for billionaires. I appreciate that the vast majority of us will never know what it feels like to deal with such huge sums of money but if you think logically it's only like a child with £5 pocket money losing 3p. It's not even that, because the properties, which are still assets, can be spruced up and put back on the market for sale. The area, the community, the houses, the gardens and the trees will all breathe a sigh of relief.

However, should that sensible course of action not be followed, demolition contractors want to work from 7am to 7pm Monday to Friday and 7am to 2pm on Saturday -not only destroying the properties but also my peace and quiet enjoyment. I don't want them destroying at all. But if they do (and who knows, the Councillors might just pass this) can we have this done during more reasonable hours?

Objection (3) Ian Whalley, 1 Billinge Side, Blackburn. Rec – 24/08/2018

Dear Sirs,

Planning Application – Residential development of 5 no. dwelling following demolition of existing buildings at land and properties off Billinge End Road Blackburn – ref: 10/18/0396

The present 'revised' plans testify to how little attention has been paid by the Council to all those local residents who between them have spent many hours troubling themselves over this diabolical proposal. It is quite frankly an absolute disgrace.

I'd be interested to know how many out of the 25 households written to, have actually expressed agreement with this proposal (excepting those who gave it thinking they'd end up getting a better view). I may decide to make a FOI request at some point. I believe 23 commented in the first round. That number probably dropped second time of asking and this third request may well suffer from 'resident fatigue'.

The truth is, we residents haven't done enough. Nobody wants this. I've spoken to a number of people further along Billinge End Road, in Pleasington and in the wider Blackburn area. They all say the same thing, "Terrible, isn't it? But what can you do? They're going to get it, aren't they? The Council are in their pocket."

The audacity of this proposal is staggering. Only such a family of local multi-millionaires could have lodged it. So, it's going to be tailor-made for them, their own little bit of private planning. It is going to destroy 8 homes and create 5, thus reducing the available high-income residences in the Blackburn area. It is going to demolish 8 houses, most of which, whilst not special enough to be listed are, nevertheless fine examples of pre-war architectural design and construction. But more importantly, they are part of the town's heritage and culture. They are established, settled. Nature has grown around them. They are aesthetically pleasing. They are perfectly spaced, the gardens and trees in balance. They are typical of an English suburban landscape. They should not be pulled down. The gardens should not be bulldozed. The trees should not be felled. Environmentally, it is an abuse of resources.

But it's quite clear that this Labour Council doesn't give a damn about Blackburn, its history, its culture or even its environment. And just for the record, I'm not a Tory.

Then there's the proposed build. Nobody has spent more time writing to the Council about this than Ian Woolley of Woodgates. He is absolutely right. The buildings proposed are way out of proportion to all others in the area (save perhaps those other monsters behind the wall

at 'Billinge Park' half a mile down the road). Both in terms of scale, size and appearance they are plain wrong. There is planning guidance about this. We mention it but look what happens. It gets ignored. Think of the size of Woodgates, of Billinge Crest and Dunsar. Think of Stonegarth and those others adjacent to Sheraton. They are large properties, but compared to the ones proposed they are still **2 to 3 times smaller!**

A good point was made by Richard Prest of Ramscroft House, Meins Road. From a distance these 5 buildings will appear unsightly. Given their massive size, with relatively little space between them they will look like one, long, industrial unit perched on the hillside (with little or no tree cover) ironically resembling an old 19th Century mill, or perhaps some modern open prison.

This plan has nothing to do with Blackburn's Core Strategy. It has everything to do with pandering to its shiniest stars. Among the residents I have spoken to, there is no envy, only despair. I strongly suspect that the vast majority, if not all the comments you receive (and have received in previous rounds) are against this. What is the point in having a consensus if you simply chose to ignore it?

Our ultimate sense is, those proposing this scheme are simply going through the motions, letting us residents blow off a bit of steam, paring their finger nails as we clatter away on our keyboards. What a way to treat your neighbours.

Objection Nicola Beswick, 8 Pall Mall, Blackburn. Rec – 26/05/2018

Dear Mr Kenny,

SUBJECT: PLANNING APPLICATION NO. 10/18/0396 DEMOLITION OF 8NO. PROPERTIES AND ERECTION OF 5NO. PROPERTIES

I am writing to you to record comments on planning application no. 10/18/0396. As residents of Billing End Road, my neighbours and I have several misgivings about the proposed demolition and development. I have outlined these concerns in brief bullet points below and then explained my points in more detail afterwards. Although the development directly affects us as neighbours, it impacts homes on Meins Road, residents of Mellor who look out on to the valley, as well as the wider borough of Blackburn with Darwen.

Blackburn faces many challenges and has areas in need of vast improvement, so it is of paramount importance that high quality areas are not undermined by insensitive development. The proposed scheme in its current form has the potential to jeopardize the character and charm of the area, which, I feel would have a negative impact on the whole borough.

My principal concerns are:

1. Loss of character. The demolition of 8 individually designed, desirable, family homes representing trends of detached semi-rural residential development throughout different decades of the 20th century.
2. Loss of housing. The demolition of 8 homes to be replaced with 5 homes, a loss of three family homes, is in direct contravention of one of Blackburn with Darwen's core planning policies within its Local Plan as well as national planning guidance.
3. Further loss of local properties and characterising features if this development goes ahead in its current form. It is understood the applicant has purchased a number of adjacent properties on Billing End Road and the agricultural field between Woodgates Road and Meins Road to the north of the proposed development. So, the future of more unique properties might be under threat.
4. Poor design quality and limited sustainable features of the proposed design.
5. Loss of character through the unnecessary loss of mature trees.
6. Loss of ecological corridor connections and continuity by removing mature trees within the site.
7. Damage to the tree canopy of trees within the curtilage of Billing Woods on the opposite side of Billing end Road by large construction vehicles.
8. Boundary treatment. The height, regularity and design of the proposal are detrimental to the local character.
9. Pavement / pedestrian safety both during construction and on completion. Local residents want to see a clearly defined pavement between the highway and the site boundary to improve pedestrian safety along this section of Billing End Road. We would also like assurances that a safe pedestrian route is defined, and access maintained throughout the construction period.
10. Parking, deliveries, access and traffic during construction works.
11. Keeping Billing End Road clean and safe during construction works. The proposed designs require significant earthworks, with the removal of large amounts of soil offsite. We request that measures are taken to mitigate the impact of these works on local residents and through traffic such as on-site wheel wash facilities, conditions to enforce clean up if spoil or other construction rubbish is deposited on the highway, works carried out

12. Lack of consultation with local residents. There have been no notifications of the planning application on lamp posts. None of the properties on Meins Road have been notified despite the fact that they will be most affected by the massing, scale and potential overlooking. A number of the neighboring properties are owned by the applicant so the number of neighbours notified should have been widened.
13. Many locals feel let down by planners in recent years, having objected to proposals in large numbers in the past (including the Longacre development which ignored its original planning approval and conditions entirely).

Expanding upon the points above.

Reduction in housing, poor design quality and limited sustainability

The reduction in housing, albeit small sets an undesirable precedent in ignoring planning policy, there is no justification for the loss of housing other than the applicants desire to build 5 extremely large residential properties. Both the Core Strategy (Local Plan Part 1) and Local Plan Part 2 clearly stress the need for additional housing across the borough, and a loss of three existing houses takes the authority further away from its annual targets, which if replicated on other schemes would become a problem. In the Local Plan Part 2, *Spatial Intervention 2: Quantity, quality and mix of housing - Core Strategy Policy – CS5 to CS8* the proposed development conflicts with the aspirations and measures of these policies. Also, in CS9 *Existing housing stock* the number of demolitions is a key performance indicator.

To permit this sort of development surely the scheme would have to enhance the character of the local area and wider borough. Referencing National Planning Policy Framework Section 6 *Delivering a wide choice of high quality homes* Paragraph 55 describes rational for residential development that would not ordinarily be permitted. While the site on Billinge End Road may seem exceptionally close to the town centre to be described as *rural*, it is wrapped by green belt to its north, south and west. From its northerly aspect it enjoys exceptional views across rolling green pastures to Mellor, Forest of Bowland, Longridge Fell, Parlick, Fair Snape Fell and the west coast. From its southerly aspect it is on the fringe of Billinge Wood. The

character of the existing properties on site are more akin to rural developments than town centre. So perhaps the loss of homes could be compensated by *the exceptional quality or innovative nature of the design of the dwelling*, which is further defined as:

- *be truly outstanding or innovative;*
- *helping to raise standards of design;*
- *reflect the highest standards in architecture;*
- *significantly enhance its immediate setting;*
- *be sensitive to the defining characteristics of the local area.*

The current design proposal takes 8 high quality, uniquely designed, desirable, generously-sized family homes with large gardens and creates a linear housing estate of identical super-sized mansions. The character of the area is typified by individually designed residential detached homes, two small rows of stone cottages along Billinge End Road, a set of stone-built semi-detached properties, the Clog and Billycock stone-built pub/restaurant, farmsteads, individual property boundary treatments, woodland, open-rolling green pastures of farm land, Billinge Woods and large country houses surrounded by large grounds.

The design of the development proposals can be described by the term *McMansions* with sheer size dominating over design quality. There is a superficial nod to classism with the addition of stone or reconstituted stone columns, but none of the rules of proportion and hierarchy that typify high quality classical design. The elevations and visuals of the proposal look more like offices or Holiday Inns than houses. Nor does there seem to be any sustainability innovations above and beyond adhering to current English Building Regulations.

Blackburn with Darwen planning documentation, supplementary documents and national planning guidance all reiterate a commitment to achieving high quality design across the borough. Taken from *SPD/2015 DL Borough Wide Design Guide SPD – Blackburn with Darwen Design Guide*:

“The Council is committed to improving the quality of the development”

“Design which is inappropriate in its context, or which fails to take opportunities available for improving the quality of an area and the way it functions should not be accepted.”

“The design guide applies to all development across the Borough’s urban and rural settlements”

The NPPF sets out a set of 12 core land-use principles which should underpin plan making (and decision making) (17) including “Secures high quality design and a good standard of amenity”. The Core Strategy includes a specific policy covering the form and design of new development (Policy CS16). It requires that development must be of a high standard of design, and respect and reinforce local character. It is my opinion that the current design does not reflect these policy statements. The repetition of the design of these colossal buildings five times, in an area where all other buildings are individual, further exacerbates

the problem and wholly “fails to take opportunities available for improving the quality of an area and the way it functions”.

Adopted Supplementary Planning Guidance (SPGs)

Supplementary Planning Guidance – Blackburn with Darwen Borough Local Plan

SPD Residential Design Guide

“Design is a material planning consideration when determining planning applications and poor quality or inappropriate design may be a reason for refusing planning permission.”

At the very least the five proposed properties should be individually designed and be distinctive from one another.

Loss of mature trees and boundary wall treatment – quality of place, character and ecology

The Local Plan and supporting documents identify “quality of place” and “place-making” is not only created by the built environment, the natural environment also plays a big part.

Green-Infrastructure-and-Ecological-Networks-SPD

Green infrastructure therefore needs to be integral to the design of development, reflecting and enhancing an area’s character, and contributing to the development and extension of the network’s physical and functional connectivity.

Section 11 of the NPPF ‘Conserving and Enhancing the Natural Environment’ expands upon this and states that the planning system should “contribute to and enhance the natural and local environment”.

The loss of the mature trees along the boundary comes as a result of unnecessarily re-locating the vehicular entrance gates to all of the properties. If the properties were individually designed in line with the local character the property approaches could be designed around the existing entrance points along the boundary.

Recognising the intrinsic character and beauty of the countryside:

Policy CS18: The Borough’s Landscapes requires that the key features of landscapes throughout the Borough will be protected. The policy recognises that the Borough’s landscape setting is one of its key assets, for its environmental value and for its economic role in making the Borough an attractive place to invest.

The replacement of around 300m of boundary wall will also have a significant impact on the street. At present the boundaries to all 8 existing properties vary in size and construction. Building a new straight, uniformly regular boundary wall could have a detrimental impact on the look and feel of the street, particularly if the wall is too high.

The removal of trees along this boundary will further exacerbate the impact, taking away features that soften hard landscape structures.

SPD The Conversion of Buildings in the Countryside

“Boundary treatments

*Boundaries should be defined by the use of stone walling or hedging. Hedging must be of a traditional type which would not include rows of conifers or Leylandii. Ornate entrance features will not be acceptable. Gateways should be in traditional styles. Access to the building must be capable of being provided without the need for new lengths of track across open fields or **alterations to the point of access which would detract from the character of the area.**”*

Loss of mature trees - conserving and enhancing the natural environment:

While it would be easy to look at the number of trees in Billinge Wood and think that the loss of mature trees along the boundary of the properties would be inconsequential from an ecological perspective, there are wider issues to consider.

The Core Strategy seeks to protect the key characteristics of valued landscapes and minimise the impact of development on biodiversity. The Council recognises that people need green spaces close to where they live and Green Infrastructure can provide for a natural and healthy environment. The Core Strategy includes several policies which aim to deliver these objectives. Policy CS15 seeks to protect and enhance ecological assets. Additionally, Policy CS18 sets out the Council's approach to landscapes in the Borough. The policy requires new development to take advantage of its landscape setting and protect key features of the landscapes. Development will only be permitted where there is no unacceptable impact upon the landscape. The policy also seeks the proactive management of upland areas, for the benefit of carbon retention, biodiversity and flood prevention. Policy CS19 sets out the Council's approach to Green Infrastructure in the Borough. The policy seeks the protection, enhancement, extension and creation of networks of green and open spaces between major land uses and between urban and rural areas.

The value of the trees scheduled to be felled as part of the development should be evaluated not only in terms of the value of individual specimens of trees in terms of species and condition, but their overall contribution to the wider ecological network.

Trees of the periphery of wooded areas like Billinge Wood, such as those along the boundary line of the proposed development, may act as a movement corridor for some species and part of a wider ecological network. In this case especially, as the canopies of both sets of mature trees branches interlock at high level, bridging the road, diminishing the impact of the road as a buffer via the connection of the trees' branches.

Background Paper for Ecological Networks, Blackburn with Darwen Local Plan submission supporting documents:

"hedgerows and tree rows that are common along field and parcel boundaries are believed to provide movement corridors for some species (e.g., Hinsley et al 1995)"

"There are, at least, three contexts for evaluating the relationship of core sites to the ecological network:

- They might be large or productive in which case they are likely to produce surplus offspring that could disperse across the landscape (e.g., source/sink metapopulations as described by Pulliam (1988));*
- They might be well connected to other sites and therefore provide intermediate connections or refugia between core sites, even if they are not particularly large (e.g., dispersal among habitat fragments); and*
- They might provide a bridge or stepping stone connecting otherwise disconnected elements of the landscape (e.g., "spreading of risk" metapopulation model (den Boer 1968, Levins 1969). The idea of 'connectivity' between patches or within an ecological network depends on the distance between habitat patches, the presence of movement corridors, and the resistance of the matrix to species movements."*

"Sites that are connected to a network that includes larger sites are at less risk of local extinction than sites not connected to a network"

"Forestry - Just 14,000 acres of land in Lancashire is wooded, and there is approximately 4.6% woodland cover in the county. Despite these low levels, a significant segment of the biodiversity in Lancashire is dependent on these woodland tracts. The limited woodland tracts can face competing interests as economic factors could drive an increase or decrease in woodlands. Lancashire's semi-natural woodlands tend to be small and lie on steeply sloping land posing management difficulties."

Furthermore, Supplementary Planning Guidance – Blackburn with Darwen Borough Local Plan:

Supplementary Planning Guidance – Blackburn with Darwen Borough Local Plan

Natural Environment 1: Landscaping & Wildlife Habitat Creation

"Existing trees, hedges and significant shrubs should be retained where appropriate. Planning for the retention and protection of trees should follow the guidelines of British Standard 5837 'Code of Practice for Trees in Relation to Construction.'"

"Existing natural features incorporated into a development immediately provide identity and character to a scheme and continuity with the past."

Heritage

The value of many building typologies are not appreciated until enough time has elapsed for them to be seen as "historic". This can be seen in the appreciation of Victorian and Industrial Age buildings today, that have previously been torn down in the borough to make way for new developments. The same could be true

for the houses earmarked for demolition as part of this scheme. Each house represents a trend in detached residential home building from different decades of the 20th Century and as such tells an interesting architectural and historical narrative. At the least, this history should be preserved in the form of professional photographic record.

BwD Heritage Strategy 2011-2016

1.4 The historic environment in the Borough faces significant challenges and opportunities over the next few years.

1.5 Overarching Objective To conserve and enhance the historic environment, recognising its contribution to economic vitality, and culture, civic pride and the quality of life, and its importance as a resource for future generations. 1.6 The aims of the strategy are set out below; Aim 1: To carry out statutory duties with respect to the conservation and enhancement of the historic environment. Aim 2: Promote the opportunities presented by conservation and heritage in terms of improving the image, sustainability and economic development in the Borough. Aim 3: Engage local people in discovering, presenting and conserving the Borough's heritage. Aim 4: The strategy is to provide the basis for the future service planning of the historic environment by identifying priorities for action.

6.3 The Borough has a rich historic legacy, that is evidenced in the wider open and built up landscape, it can take the form of historic field boundaries or industrial infrastructure. The surviving features all contribute to local distinctiveness and sense of place.

Parking, deliveries, access and traffic during construction works.

On going construction at the nearby Longacre property involves contractors' vehicles parked blocking one side of the carriage way on Billinge End Road, forcing traffic heading towards Blackburn on to the wrong side of the road on a blind corner. This is not a good precedent. The residents of Billinge Side, the terrace on the opposite side of Billinge End Road to the proposed development already park on one side of the carriageway, often leaving just one side of the carriageway to pass – in this situation it is not dangerous because lines of sight are good and vehicles usually take turns at giving way to oncoming traffic. However, if site vehicles park outside the development site on the opposite side of the road problems and safety issues are likely to arise.

Disruption to local residents

In which ever form the development goes ahead, the scale of development will be significant for the local area. It is imperative that the contractor takes as many measures as possible to mitigate the impact for local residents, road users, wildlife / ecology and users of Billinge Woods. Measures to suppress dirt, dust, noise, vibration, traffic, other pollution or nuisance.

Other points worth noting are that there are no site levels shown, there are no site sections through each proposed new home shown the extent of land reprofiling and cut and fill required. There are no drawings showing the individual ridge heights of each proposed property. There are no dimensions on any of the drawings, which is important because drawings reprinted on different printers at different sizes make the original drawing scale meaningless.

I would reiterate again that there has been a lack of consultation with local residents. There have been no notifications of the planning application on lamp posts. No drawings or notifications in the local pub (approx. 500m away). Notices in the Lancashire Telegraph have limited impact due to falling readership. Because of the open aspect of the site, residents as far away as Mellor will be impacted by the look and feel of the proposed buildings.

Many locals feel let down by planners in recent years, having objected to proposals in large numbers in the past (including the Longacre development which ignored its original planning approval and conditions entirely). The enforcement of measures to mitigate the impact of developments on the local community has been perceived to be nonexistent. We would ask that that is not the case in this instance.

PLANNING APPLICATION NO. 10/18/0396 DEMOLITION OF 8No. PROPERTIES AND ERECTION OF 5NO. PROPERTIES

Properties earmarked for demolition to make way for 5no. even larger properties



1	Boxtree	7	Silverdale	13	Land – future plans unknown
2	Westwood	8	Sheraton	14	
3	The Braids	9	Lindene	15	
4	Highwood	10	Sandhurst	1	Billinge End Road
5	Thorpe	11	Ingledene – empty	2	Woodgate Road
6	Woodhenge	12	Billinge Side	3	Meins Road

Above red numbers indicate properties proposed for demolition under this planning application



(1) Boxtree from Billinge End Road

(2) Westwood from Billinge End Road [below top] and Woodgates Road [below bottom] not appreciated now but could have future historical value:





(3) The Braids from Billinge End Road [below]:



(2) The Braids from Woodgates Road [below]:



(2) [above] mature trees on garden dividing boundaries

(3) Highwood from Billinge End Road [below]:



[above] note nature trees on boundary

(3) Highwood from Woodgates Road [below]:



[above] note mature trees and hedges on garden boundaries

(4) Thorpe from Billinge End Road [top] and Woodgates Road [bottom]:



(5) Woodhenge from Billinge End Road [2 below]



Woodhenge from Woodgates Road [below]:



(7) Silverdale from Billinge End Road [below]:



(7) Silverdale from Woodgates Road [below]:



(8) Sheraton from Billinge End Road [below]:



(8) Sheraton from Woodgates Road [below]:



(11) Ingledene – not part of this scheme, but has also been purchased and sits empty, assumed to be part of a future scheme:

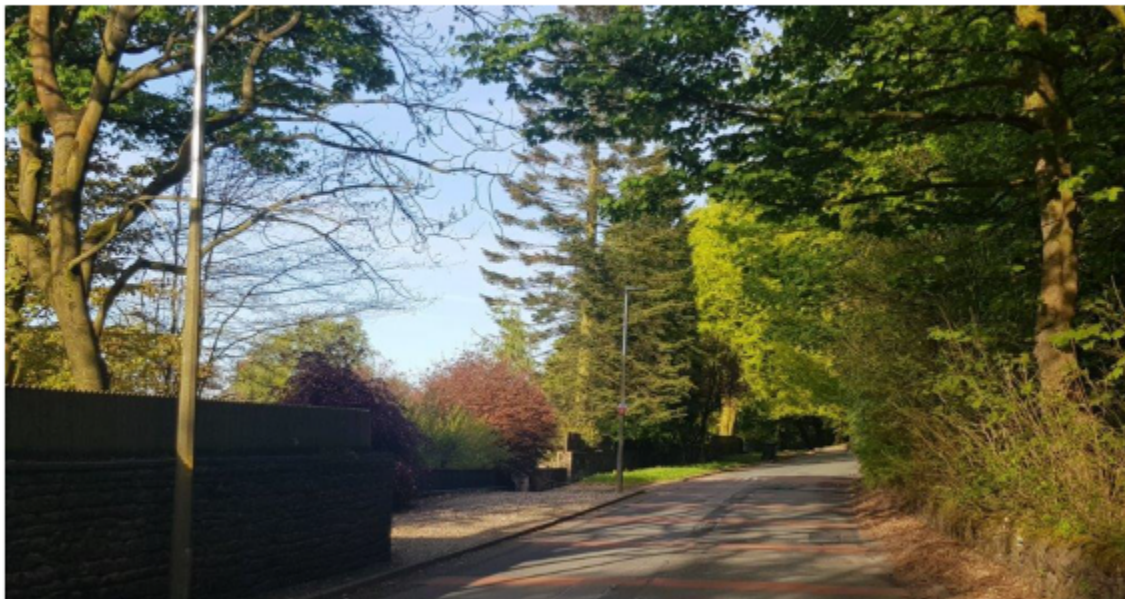


View along Billinge End Road [below] looking west:



Note the tree canopies of the mature trees on the boundary of the houses connects with the canopies of the trees on the edge of Billinge Woods.

Billinge End Road looking east [below]:



Woodgates Road looking southeast [below]:

