

**PLANNING AND HIGHWAYS COMMITTEE**  
**Thursday, 17 October 2024**

**PRESENT** – Councillors, David Smith (Chair), Jim Casey, Zamir Khan, Paul Marrow, Sabahat Imtiaz, Qesir Mahmood, Martin McCaughran, Matthew Jackson, Jim Shorrocks, Sajid Ali, Derek Hardman, Rana Khan and Muntazir Patel.

**OFFICERS** – Gavin Prescott, Rabia Sagir & Shannon Gardiner

**RESOLUTIONS**

**35**     **Welcome and Apologies**

The Chair welcomed everyone to the meeting.

There were no apologies received.

**36**     **Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the previous meeting held on 19<sup>th</sup> September 2024 were agreed and signed as a correct record.

**37**     **Declaration of Interest**

**RESOLVED** – There were no Declaration of Interest received.

**38**     **Planning Applications for Determination**

The Committee considered reports of the Strategic Director of Place detailing the planning applications.

In considering the applications, the Committee took into account representations or submissions provided by individuals with the Officers answering points raised during discussion thereon.

**38.1**   **Planning Application 10-24-0651**

**Applicant** – Kingswood Homes

**Location and Proposed Development**- Land off Horden Rake (Across Phases 8 & 9 of Green Hills Development) Blackburn

Full Planning Application for: Erection of 149 dwellings, comprising 112 Affordable Homes (53 rental, 59 shared ownership) and 37 open market homes, with associated infrastructure, landscaping, and open space; as a replan of 77 dwellings previously approved under hybrid application 10/19/0662 and reserved matters application 10/21/1022, and 72 additional dwellings.

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to a Section 106 Agreement to secure payment of a commuted sum totalling £386,124 for the following (summary) measures necessary to support the application: Additional primary school places in Blackburn South, Blackburn West and / or Blackburn East Pupil Planning Areas and / or secondary and / or SEND places across the borough; new infrastructure for Witton Medical Centre, Blackburn; and monitoring fee; and conditions, including standard Biodiversity Net Gain condition.

Against – Cllr Marrow & Cllr Hardman

**38.2 Planning Application 10-24-0669**

*Speaker – Amy Bronte Littlejohns (Agent)*

**Applicant** – Together Housing

**Location and Proposed Development** – Land at Staffa Crescent, Shadsworth Easte, Blackburn

Full Planning Application (Regulation 4) for: Erection of 68 Affordable Homes (Use Class C3); erection of electricity sub-station; and improvements to existing play area with landscaping, parking and other associated works.

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Directors Report and the additional condition in the Update Report:

No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

**REASON:** To ensure and safeguard the recording and inspection of matters of archaeological / historical importance, in accordance with the requirements of Policies CP7 and DM26 of the adopted Blackburn with Darwen Borough Local Plan 2021 - 2037 and National Planning Policy Framework

**38.3 Planning Application 10-24-0688**

**Applicant** – Mr Samuel Creegan

**Location and Proposed Development** – Land adjacent to No.15 Prince Street, Darwen

Full Planning Application (Regulation 4) for Change of use of land to residential garden (C3) with erection of fencing.

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Directors Report.

#### **38.4 Planning Application 10-24-0718**

**Applicant** – Blackburn with Darwen Borough Council

**Location and Proposed Development-** 175A The Limes, Blackburn Road, Darwen, BB3 1HL

Full Planning Application (Regulation 3) for Change of use from a resource centre to a residential dwelling (Use Class C3)

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to conditions highlighted in the Directors Report.

#### **38.5 Planning Application 10-24-0753**

**Applicant** – Blackburn with Darwen Borough Council

**Location and Proposed Development** – Land at Shadsworth Leisure Centre, Shadsworth Road, Blackburn, BB1 2HT

Variation of Condition 1 (Temporary Time Period) to extend the date for the temporary structures to 01/04/2025, and removal of Condition 4 (Vehicle/Pedestrian Access Arrangements), pursuant to planning application 10/23/0377 – Temporary pod accommodation (10 sleeper & 2 dining pods)

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – Approved subject to the conditions highlighted in the Directors Report.

#### **38.6 Planning Application 10-24-0816**

**Applicant** – Kingswood Homes

**Location and Proposed Development** – Land off Moorland Drive, Blackburn

Variation to S106 Agreement dated 22nd June 2020 pursuant to hybrid planning application 10/19/0662 & 10/21/1022 (s73 variation of condition) - "full planning permission for residential development of 155 dwellings and outline planning permission with all matters reserved except for access for residential development for up to 280 dwellings" - to remove the planning obligation relating to commuted sum payment of £150,000 towards the provision of off-site affordable housing, including reference to:

- Affordable Housing at Section 1, paragraph 1.1
- Commuted Sum No 2 at Section 1, paragraph 1.1
- Commuted Sum No 2 at Schedule Two, Owners Covenants
- Paragraph 1.2 at Schedule Three

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – That the variation of the s106 Agreement pursuant to planning applications 10/19/0662 & 10/21/0343 was approved.

**38.7 Planning Applicaton 10-24-0831**

**Applicant** – Blackburn with Darwen Borough Council

Location and Proposed Development – Daisyfield Pools, Daisy Lane, Blackburn, BB1 5LR

Demolition of the building

**Decision under Town and Country Planning Acts and Regulations –**

**RESOLVED** – That the proposed development was granted prior approval subject to the conditions highlighted in the Directors Report.

**39 Appeals Monitoring Report**

The Members were presented with an update of recently decided appeals since the last monitoring report in December 2023. It is highlighted in the table that 10 appeals in total were determined during the period 2<sup>nd</sup> December 2023 to 3<sup>rd</sup> October 2024, this included one enforcement appeal. 6 appeals were dismissed, and 4 appeals were allowed.

Members were advised that the appeals allowed by the Inspectorate, and the reasons provided, these have been duly considered in detail by officers, and have been incorporated in the decision-making culture as part of the Planning Service’s Performance Improvement Plan, in order to reduce the number of appeals, and subsequently the number of appeals allowed.

**RESOLVED** – That the report was noted.

**40 Enforcement Update Report**

A report was presented to Members with an overview of Planning Enforcement Matters. The list of cases within the report were in the main list of cases where formal enforcement action was being take and was not a list of every case, complaint of enquiry dealt with.

**RESOLVED** – That the Enforcement Update Report was noted.

Signed: .....

Date: .....

Chair of the meeting  
at which the minutes were confirmed