

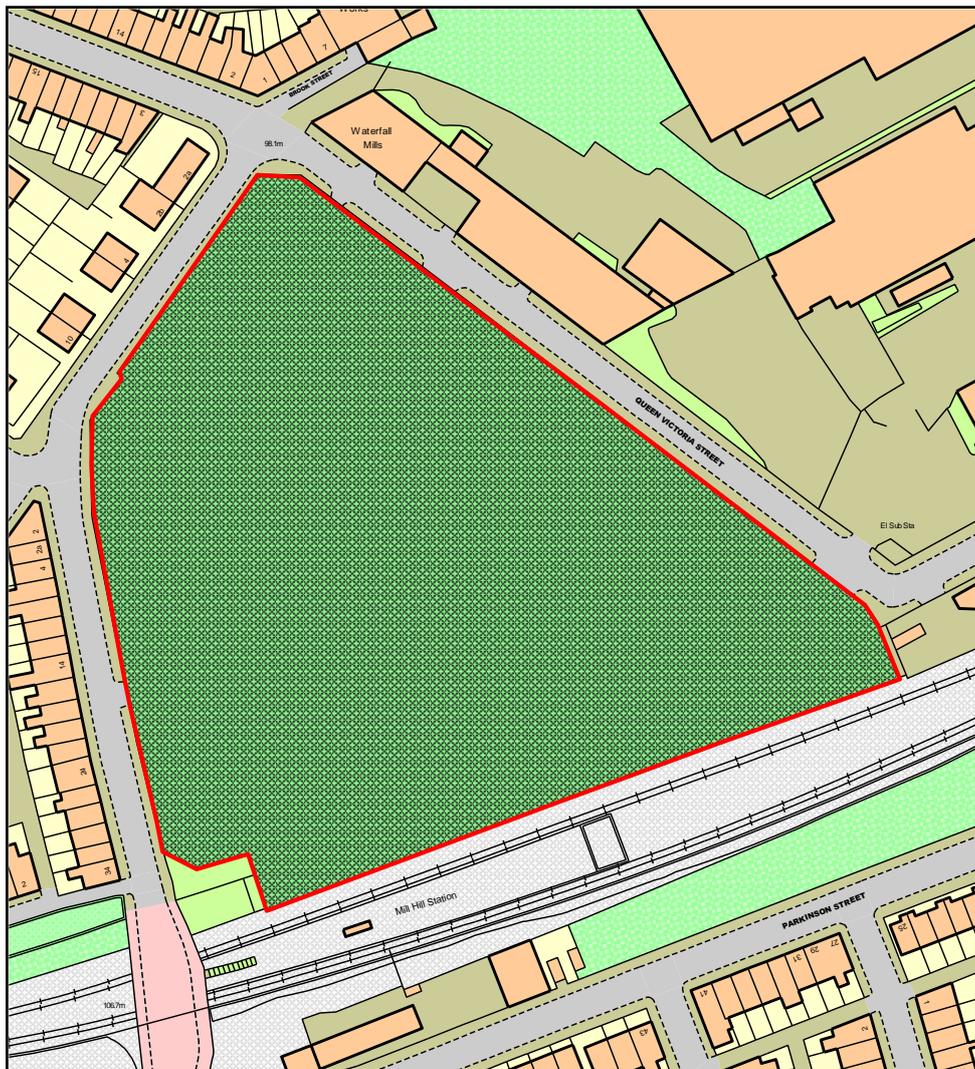
Proposed development: Full Planning Application for Demolition of existing buildings on site and the erection of 68 dwellings and associated works

**Site address:
Land off Queen Victoria Street
Blackburn
BB2 2RZ**

Applicant: Countryside Properties UK Ltd

Ward: Mill Hill & Moorgate

Councillor	Damian Talbot
Councillor	Julie Gunn
Councillor	Jim Smith



1.0 SUMMARY OF RECOMMENDATION

- 1.1 APPROVE – subject to the recommended conditions set out in section 5.0 of this report; the Grampian Condition set out in section 5.0 of this report will facilitate the implementation of an off-site crossing point in the North Blackburn locality.**

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 The proposal will deliver a high quality housing development which will widen the choice of family housing in the Borough. It supports the Borough's planning strategy for housing growth as set out in the Core Strategy. 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 of an irregular shaped parcel of land situated directly to the north of Mill Hill train station. The land measures approximately 1.77 hectares of previously developed land. The site slopes from south to north and there are significant levels changes in the western part of the site. The majority of the site is vacant however there are two small industrial buildings with associated hard standing in the southeast corner of the site. One of these buildings is vacant whilst the other is currently being used as an auto repair shop. The remainder of the site is scrubland, a bank of trees did once line the western perimeter but these have subsequently been felled
- 3.1.2 The site is bounded by the residential terrace of New Chapel Street to the west and further residential dwellings situated along Mill Hill Street to the north. To the east of the site are a number of commercial and industrial buildings many of which are still operational. Mill Hill train station is situated to the south of the site with the train track running adjacent to the southernmost part of the site.

3.2 Proposed Development

- 3.2.1 The proposal is a full planning application for the demolition of the existing buildings on site and the erection of 68 dwellings and associated works.
- 3.2.2 The proposed development will provide 68 dwellings comprising of two, three and four bedroom houses. The proposed mix of dwellings comprises of 17 two bedroom houses, 47 three bedroom houses and 4 four bedroom houses in a mix of detached, semi-detached and terraced dwellings.
- 3.2.3 The dwellings proposed will be managed housing stock for rent and will not be sold on the open market.

- 3.2.4 The materials used in the area around the application site are predominantly red brick, white render with grey roof tiles with elements of red roofs and buff brick. The proposed materials reference themselves to the local vernacular without being a pastiche. The internal street scenes and the frontage to Queen Victoria Street will look to compliment this existing character while being careful not to repeat the form of existing residential stock that surround the boundaries of the site. The proposed materials will consist of a light red brick, red multi brick and buff multi brick with selected plots being partially rendered (white) or tile hanging to provide further variety within the street scene.
- 3.2.5 The site will be accessed via one main access point directly off Queen Victoria Street. A pedestrian link is also to be provided from the site to New Chapel to facilitate the use of the nearby train station.
- 3.2.6 The central part of the site has been identified as an area of public open space which will contain a pathway and street furniture.

3.3 Development Plan

- 3.3.1 The Development Plan comprises the Core Strategy and adopted Local Plan Part 2 – Site Allocations and Development Management Policies. In determining the current proposal, the following are considered to be the most relevant policies:

3.3.2 Core Strategy (2011)

CS1: A Targeted Growth Strategy
CS5: Locations for New Housing
CS6: Housing Targets
CS7: Types of Housing
CS8L Affordable Housing Requirements
CS13: Environmental Strategy
CS15: Protection and Enhancement of Ecological Assets
CS16: Form and Design of New Development
CS19: Green Infrastructure
CS20: Cleaner, Safer, Greener
CS21: Mitigation of Impacts / Planning Gain
CS22: Accessibility Strategy

3.3.3 Local Plan Part 2 (2015) (LPP2)

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 12: Developer Contributions

Policy 18: Housing Mix

Policy 40: Integrating Green Infrastructure and Ecological Networks with New Development

3.4 Other Material Planning Considerations

3.4.1 Residential Design Guide SPD

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

3.4.2

Green Infrastructure & Ecological Networks (December 2015)

The Blackburn with Darwen Green Infrastructure and Ecological Networks SPD outlines further detail and guidance around policies protecting, improving and creating green infrastructure and ecological networks. It sets out the authority's approach to green infrastructure in new residential developments.

3.4.3

National Planning Policy Framework (NPPF)

The National Planning Policy Framework (Framework) is a material consideration in planning decisions. The Framework sets out a presumption in favour of sustainable development in Paragraph 7. It identifies at Paragraph 8 that there are three overarching objectives to sustainable development. These are Economic, Social and Environmental. Paragraph 11 of the Framework explains that for decision taking, this means approving development proposals that accord with the development plan without delay. Chapter 5 of the Framework relates to delivering a wide choice of high quality homes, and Chapter 8 relates to promoting healthy communities.

3.5 Assessment

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

- Principle of the development;
- Highways and access;
- Drainage;
- Design and Layout;
- Amenity impact;
- Ecology; and
- Affordable housing

3.5.2 Principle of the development

- 3.5.3 The principle of the development is considered under the Blackburn with Darwen Local Plan Part 2: Site Allocations and Development Management Policies and the Core Strategy.
- 3.5.4 Core Strategy Policy CS1 sets out the principle that development should be concentrated within defined urban areas. This is reiterated in Policy 1 of the LPP2 which states that the defined Urban Area is the preferred location for new development. Development in the Urban Area will only be granted planning permission where it complies with the other policies of this Local Plan and the Core Strategy. The application site is located within the defined urban area boundary of Blackburn on the proposals map.
- 3.5.5 Policy 7 relates to Sustainable and Viable Development and 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.
- 3.5.6 Members will recall that an outline application (Ref. 10/12/1181) for the erection of 60 houses with children's play area was approved in October 2013 and renewed in June 2016 (Ref. 10/15/0672). The principle of residential development on the site has therefore already been established for 5 years, and the extant outline permission represents a material fall-back position.
- 3.5.7 Subsequently the majority of the site has remained vacant for a number of years. It is in an area which is relatively difficult to access from main transport routes. In addition, the history of previous uses on the site (authorised and unauthorised) would mean that the site requires significant remediation before it could be redeveloped.
- 3.5.8 Members are advised that Queen Victoria Street forms a significant boundary between residential-type uses to the north and west of the site, and employment-type uses to the east. As such, a residential development on the application site would not prejudice the operability of the rest of the businesses in the Business and Industrial Area extending back to Stancliffe Street.
- 3.5.9 It is therefore considered that the principle of the form of development set out in this application is acceptable and in accordance with the provisions of the development plan in terms of delivering a high quality residential development site within the defined urban area. This position is subject to the more detailed considerations also being in accordance with adopted development plan policy and national guidance.

3.5.10 Highways and access

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

- 3.5.12 The proposal identifies one vehicular point of access being taken from Queen Victoria Street. Dwellings on the periphery of the site will have parking access direct from the existing road network. A pedestrian access will be provided in the south western corner of the site linking the development to New Chapel Street and most notably Mill Hill Train Station.
- 3.5.13 Parking provision for the development in accordance with the Council's adopted parking standards; 2 spaces for 2/3 bed units and 3 spaces for 4+ bedroom properties would require a total provision of circa 136 spaces. The application proposes a total provision of 2 spaces per dwelling. It is noted that this is below the recommended requirement for a four bed dwelling; however given that the development will only accommodate 4 four bed dwellings it is considered that their cumulative impact upon the highway network within the site would not be significant enough to warrant the refusal of the application.
- 3.5.14 The Highways Officer noted that the driveway parking spaces did not accord with the adopted space requirements of 5.5m x 2.4m. Subsequently this has been amended for plots 1, 5, 6, 11, 14, 22, 26, 28, 32, 33, 40, 42, 43, 44, 46, 51, 52, 53, 54, 55, 57, 58, 62, 63, 65, 66, 67, 68. The remainder of the plots either meet the 5.5m requirement or are unable to be increased due to the presence of retaining walls throughout the site, plot positioning in relation to the road, proposed levels and requirement to achieve satisfactory interface distances. There are no garages being provided.
- 3.5.15 The Highways Officer has confirmed that as not all driveways have been amended to accord with the adopted space requirements that there are still concerns regarding vehicles overhanging the highways which in turn could affect the safety of pedestrians on the footways.
- 3.5.16 The site is well situated to provide access to a range of alternative modes of transport. The nearest bus stops to the site are located on the site frontage along New Mills Street and adjacent Mill Hill Train Station, all within the recommended 400m walking distance. Further to this Mill Hill Train Station is located approximately 50m south of the site. Therefore it is considered that the proposal can provide forms of sustainable development in transport terms and therefore accords with CS22 of the Core Strategy and Policy 10 of the LPP2 and Section 9 of the NPPF.
- 3.5.17 The initial Highways comments received identified that they had no objection in principle to the proposed access arrangements subject to a number of issues being addressed prior to a decision being made. Subsequently the following additional information was submitted or made available to the Highways Officer to overcome the identified issues. A visibility plan, amendments to the layout to accommodate footway connections through the POS, sections of the retaining walls requested the retaining wall calculations, the soil specification for the retaining walls and the submitted s278 scheme.

3.5.18 A Construction Environmental Management Plan has been submitted which includes details of the construction mitigation methods such as a wheel wash and a method statement. Subject to a condition being attached ensuring that this is adhered to throughout the construction phase of the development the Highways Officer has confirmed that the information submitted is adequate.

3.5.19 Due to the proposed increase in dwellings in the locality should the current scheme be approved, provides justification for contribution towards off-site highway works. A contribution is sought to provide for a pedestrian zebra crossing. The contribution will be secured via a Grampian condition, for a scheme to be received for approval and works to be carried out prior to occupation of the first dwelling.

3.5.20 Following the submission of the additional information the Highways Officer has confirmed that the internal road had been widened on the bend to 5.5m. The developer has offered a tracking plan to show a refuse vehicle can manoeuvre with ease. However this does not necessarily assess two vehicles passing one another, with is probably the daily occurrence that we should be designing for.

3.5.21 The Highways Officer has confirmed that in regards to the retaining wall structures insufficient details have been supplied with regards to the gabion wall calculations. Therefore to ensure that this is adequate a structure informative will be added for the remaining details to be picked up as part of the Technical Construction Approval.

3.5.22 Drainage

3.5.23 United Utilities have examined the proposed drainage details and Flood Risk Assessment (FRA), and have confirmed that the drainage design, in principle, is acceptable, subject to the application of suitably worded conditions to ensure their effective construction and future management. Specifically those conditions will need to address:

- Drainage carried out in accordance with principles set out in the submitted FRA and no surface water will be permitted to drain directly or indirectly into the public combined sewer. Any variation to the discharge of foul shall be agreed in writing the LPA prior to the commencement of the development.
- Prior to the occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the LPA.

3.5.24 The Lead Local Flood Authority's (LLFA) initial response stated that they had no objection to the scheme subject to the imposition of a number of pre-commencement conditions. The applicant subsequently submitted additional updated documents to overcome the need for the pre-commencement conditions.

3.5.25 Following a formal assessment of the additional information submitted by the development, by the LLFA it was noted that the developers Floor Risk Assessment (FRA) proposed a 50% reduction in surface water runoff for a brownfield site. It is the Council's wish for the site to be considered as Greenfield land and therefore would require an equivalent Greenfield run off also. This was also backed by the Environment Agency and the developer has been informed that the FRA and drainage design needs to be amended for the site to have equivalent Greenfield runoff and 40%cc.

3.5.26 The above comments are subject to the appraisal of the amended FRA and drainage design of the scheme. Assessment is ongoing and a full response will be provided on the committee update report.

3.5.27 Design and Layout

3.5.28 Policy 11 of the Local Plan 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. This underpins the main principles of sustainable development contained in the NPPF.

3.5.29 Detailed Design and Access and Planning statements have been provided which set out the key design principles derived from the assessment carried out by the developer considering the site constraints and ensuring the development is in keeping with the existing local character of the area, which have informed the site design and layout.

3.5.30 The main aim of the proposal is to ***produce a development that fits in and complements the existing character of the area. High quality, site specific design produces an interesting and varied street scene creating a distinctive place to live.***

3.5.31 The layout presents itself to the existing highway by means of one road leading into the site and connects to the public open space providing a strong sense of place. The house form perimeter blocks ensure that each property benefits from a private rear garden, incurtilage parking and landscaped gardens.

3.5.32 In terms of housing mix, the proposal includes 47 three bedroom houses, 4 four bedroom houses and 17 two bedroom houses. A mix of terraces, semi-detached and detached dwellings are proposed. Policy 18 of the Local Plan Part 2 illustrates that the Council requires a detached and semi-detached housing offer to be the principal element of the dwelling mix on any site that is capable of accommodating such housing, and therefore the proposal meets this policy requirement.

3.5.33 The proposed development provides a nett residential density of a little under 39 dwellings per hectare, when considering the developable area of 1.77 hectares. The previously approved outline scheme sought the erection of 60 dwellings, the proposed layout relating to this application will deliver 68 units.

3.5.34 Policy does not preclude a higher number of units being provided on site and as such, subject to a detailed consideration of matters of design and layout. Moreover, the applicant has demonstrated that the economic viability of the scheme, through their Viability Appraisal submission, is dependent on delivery of the proposed number of units. It is, therefore, considered that the social and economic benefits of the development, including its contribution towards the boroughs housing obligations, outweigh potential concern regarding the number of units per hectare.

3.5.35 High quality landscaping is an important feature of this proposal. As part of the proposal the existing brick wall and palisade fence around the site will be removed and replaced with a grass verge slope and a public open space to the centre of the site. This will soften the development and will serve to provide a distinct boundary around the site. The application is accompanied by a Landscape proposal drawing for the site post construction which will be conditioned to ensure the satisfactory appearance for the development.

3.5.36 The houses throughout the proposed development are standard house types for the developer, though have been specifically chosen for this site to help it assimilate with the context of the site. The properties have carefully considered internal layouts to offer a variety of configurations to appeal to families of varying sizes and needs. The house types represent an appropriate variety of styles and, together with their orientation, will create varied and attractive street scenes.

3.5.37 Details of the proposed boundary treatments have been provided, alongside a detailed layout to illustrate the boundary treatments for each part of the site. Frontage and treatments within the site will include a mix of brick walls, high close board fencing of varying heights and a post and rail fence around the Public Open Space.

3.5.38 Core Strategy Policy 20 and Policy 8 of LLP2 seek to reduce crime through effective design solutions. The scheme has been assessed by the Lancashire Police Designing Out Crime Officer. They have made a number of recommendations as part of their response including security fencing during the construction phase, intruder alarm systems to be fitted to cabins where tools etc will be stored, on-site CCTV, security lighting and the use of a security personnel if necessary. Many of these matters sit outside the scope of development management however the Construction Environmental Management Plan sets out in detail the security measures which will be implemented during the construction phase of the development. The other matters will be attached as a series of informatives to the decision notice, as necessary.

3.5.39 The details submitted illustrate a design and layout which show dwellings, infrastructure and landscaping which accords with the provisions of the relevant policies of the development plan.

3.5.40 Amenity impact

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.

3.5.41 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.

3.5.42 Following assessment, not all of the separation distances are compliant with the requirements of the SPD. Therefore, the separation distances between the proposed properties within the site are broadly in accordance with the Council's aforementioned adopted standards, though the occasional marginal sub-standard interface exists.

3.5.43 The south of the site abuts onto the railway track and platform of Mill Hill Train Station. The light spillage report submitted in support of the application states that to mitigate any glare a 3m high fence on the boundary between the development and the railway line would be sufficient. The boundary treatment plan states that a 3m fence will be erected adjacent the station platform and a 2.5m fence adjacent the railway track from where the station platform finishes to the south eastern corner of the site. The Public Protection officer is currently assessing the submitted details and the findings of this will be presented in a committee update report.

3.5.44 The south east corner of the site abuts onto an existing business 'Workgreat Ltd (Fencing & Firewood Factory). Following the initial assessment of the Noise & Vibration Assessment report the Public Protection officer raised concerns regarding the loss of amenity that existing business may have on plots 65, 66, 67 & 68. Consequently the developer has amended the layout of the south east corner of the site re-orientating the properties to offer more protection to the rear garden areas. Further to this the developer proposes to

erect a 3.5m high acoustic barrier adjacent to WorkGreat Ltd, on the boundary of plots 67 and 68. A 3.5m high close boarded fence is proposed adjacent to the railway line next to plot 68 and a 3.5m high close boarded fence is proposed between plots 64-68. The Public Protection officer is currently assessing the submitted details and the findings of this will be presented in a committee update report.

3.5.45 Further assessment in relation to land contamination, air quality and the potential risks to future occupants and users of the site is required. Reports are currently under assessment and the findings on these issues will be presented in the committee update report

3.5.46 **Ecology**

3.5.47 The ecology impact of the proposal has been fully assessed by the Capita Ecology team and found to be acceptable subject to the implementation of a number of conditions. The ecology survey confirmed that the site does not support species of high value and that the trees which bounded the western edge of the site (which subsequently have already been felled by the developer) have either no potential or low potential in regards to supporting bat roosts. Regardless of this, it is recommended that the following conditions be attached adopting reasonable avoidance measures, such as:

- The works to be carried out in accordance with the methodology contained with the CEMP.
- If site clearance works are to take place between bird nesting season a pre-commencement check within 48 hours of the start of works shall be carried out
- The works to be carried out in accordance with the Invasive Species Method Statement
- No external lighting shall be installed before a lighting strategy is submitted and agreed in writing by the LPA.
- Prior to development going above slab level details of the provisions of bat and bird boxes shall be submitted to and agreed in writing by the LPA.

3.5.48 Members should note further to the above the impact of the development on ecology were considered acceptable through the previously approved outline application 10/12/1181 and the subsequent application 10/15/0672.

3.5.49 Policy 9 of the LPP2 states that where one or more tree is to be removed as part of the development, a condition will be attached requiring that an equivalent number or more new trees are planted either on or near the site, unless a clear justification is provided for not doing so. The development will

incorporate the provision of over 70 new trees and therefore exceeds the requirements of the policy resulting in a new gain of biodiversity.

3.5.50 It is therefore considered that the development would not have an unacceptable environmental impact and therefore accords with Policy CS13 of the Core Strategy and Policy 9 of the LPP2.

3.5.51 Affordable housing

A Viability Assessment has been submitted in support of the application. The report is currently under assessment and the findings on this will be presented in the committee update report.

4.0 CONCLUSION

4.1 This report assesses the full planning application for 68 dwellings on land at Queen Victoria Street, Blackburn. In considering the proposal a wide range of material considerations have been taken in to account during the assessment of the planning application.

4.2 The assessment of the proposal clearly shows that the planning decision must be made in terms of assessing the merits of the case against any potential harm that may result from its implementation. This report concludes the proposal provides a high quality housing development with associated infrastructure, which meets the policy requirements of the Blackburn with Darwen Core Strategy, Local Plan Part 2, and the National Planning Policy Framework.

5.0 RECOMMENDATION: Approve subject to Conditions which relate to the following matters:

- Commence within 3 years
- Approved drawings/details
- Materials to be implement as agreed subject to the approved drawings/details
- Boundary treatment to be erected subject to the approved drawings/details
- S278 Grampian condition for offsite highway works
- Sightlines clearance to be kept in perpetuity
- Closure of existing access points where required
- Land contamination
- Air Quality
- Noise
- Light
- Highways – standard conditions
- Drainage carried out in accordance with principles set out in the submitted FRA and no surface water will be permitted to drain directly or indirectly into the public combined sewer. Any variation to the discharge of foul shall

be agreed in writing the LPA prior to the commencement of the development.

- Prior to the occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the LPA.
- Works to be carried out in accordance with FRA and proposed drainage design
- The works to be carried out in accordance with the methodology contained with the CEMP.
- If site clearance works are to take place between bird nesting season a pre-commencement check within 48 hours of the start of works shall be carried out
- The works to be carried out in accordance with the Invasive Species Method Statement
- No external lighting shall be installed before a lighting strategy is submitted and agreed in writing by the LPA.
- Archaeology - level 2-3 Building Record of the goods shed (ie drawn, photographic and description record)
- Archaeology – If any evidence is found on site then this must be adequately recorded and submitted
- Prior to occupation of the development hereby permitted the Public Open Space shall be completed in accordance with approved drawings/details
- Prior to development going above slab level details of the provisions of bat and bird boxes shall be submitted to and agreed in writing by the LPA.
- Permitted development rights to be removed (Part 1, Classes A to E)
- Limitation of 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.

6.0 PLANNING HISTORY

- 6.1 10/15/0672 – Outline Planning Application for the erection of 60 houses with children's play area (Approved with Conditions 01/06/2016)
- 6.2 10/12/1181 – Erection of 60 houses with children's play area (Approved with Conditions 25/10/2013)
- 6.3 10/09/0317 – Outline application for the erection of 66 houses with parking and landscaping (Refused August 2009)
- 6.4 10/08/0481 – Outline application for the erection of 66 houses with parking and landscaping (Withdrawn)
- 6.5 There are a series of further applications affecting the site, though none are considered relevant to the determination of this application

7.0 CONSULTATIONS

- 7.1 Environmental Services

No objection.

7.2 Lancashire Fire and Rescue Service

No objections, but recommended that the scheme should be developed to meet the requirements of Building Regulations Approved documents B, Part B5 'Access and facilities for the Fire Service'

7.3 Drainage Section

Initial comments received: Discussions have been had with the Environment Agency regarding the FRA proposal and are both in agreement that the FRA and drainage design be changed for the site to have equivalent greenfield runoff and 40%cc.

Further comments will be updated following the assessment of the amended drainage design scheme and FRA by means of a committee update report upon receipt of the comments.

7.4 Network Rail

No objection subject to use of informatives on decision notice.

7.5 Lancashire Constabulary

No objections, but recommended that the scheme should be developed to achieve 'Secured by Design' accreditation.

7.6 Public Protection

7.6.1 Light

Initial comments received: The suitability of the mitigation options presented in the 'Light Spillage Survey' Ref:6480084/v4 are being assessed.

Further comments will be updated following the assessment of the amended/additional details by means of a committee update report upon receipt of the comments.

7.6.2 Noise

Initial comments received: A review of the submitted report 'Noise & Vibration Assessment for Reserved Matters Planning Application' - ref: 6479834/01 – October 2018 has been carried out and it is noted that no significant commercial or industrial noise was identified during the assessment (see report paragraph 6.29). A site visit was carried out recently and at least one business (Workgreat Ltd. ('Fencing & Firewood Factory') at Peel St., Blackburn) that adjoins the application site was identified which has the potential to cause loss of amenity at the proposed dwellings. They process wood using various saws on site, operate a forklift truck & have a telephone call alert bell which is noisy. A review of the report in respect of commercial/industrial noise sources to ensure that all potential impacts are identified and assessed is requested.

Further comments will be updated following the assessment of the amended/additional details by means of a committee update report upon receipt of the comments.

7.6.3 Air Quality

Initial comments received: Conditions 13 and 14 on the previously approved outline decision notice requires that the developer assesses a number of criteria and, if those criteria are satisfied, to provide a more detailed assessment of air quality. The developer has submitted a report which seeks to satisfy these requirements. I don't agree with the conclusions relating to the criteria, so I can't accept the findings of the report.

The report provides an estimate of on-site parking and traffic associated with the site from when it was a busy scrap yard, and compares these estimates with figures for the proposed development. The report concludes that there will be no significant increase in traffic or parking provision. However, I've looked at an aerial view from the year 2000 and subsequent years. There has been some limited recent activity on site, but the majority of the site has been empty for a long time and hasn't been a busy scrap yard for many years. The estimates for the scrap yard traffic and parking that they've used don't relate to what has been going on in recent years, and they won't help to assess the impact on local exposure.

As it stands, I recommend refusal because the developer hasn't satisfied conditions 13 and 14 of the 10/15/0672 decision notice. However, a revised assessment may be able to fulfil the relevant requirements and demonstrate that air quality isn't a significant issue. I would then be able to revise my comments (in which case I'm likely to recommend conditions relating to electric vehicle charging, gas boiler emission limits, and dust control during construction).

If a more detailed assessment is undertaken I recommend that the scope of the assessment is agreed beforehand.

Further comments will be updated following the assessment of the amended/additional details by means of a committee update report upon receipt of the comments.

7.6.4 Land Contamination

Initial comments received: The desk study has been based, in the main, on an Envirocheck report. This Section would always encourage a wide a consultation as possible when compiling a desk study. This is particularly relevant to this site, which has more recently been used as a scrap yard. There is very little information within the report regarding this use. This Section will require more information relating to the scrap yard in order to fully assess the site investigation and risk assessments undertaken to date. As such, further consultation/research will be required.

Significant contamination has been identified on site, which will require further consideration. There is still some uncertainty regarding the scrap yard, as outlined above, and therefore it is not clear whether the worst case conditions have been encountered.

Based on the assessment undertaken, the report has concluded that there are a number of hotspots at the site which require remediation in order to make the site suitable for use. It is not clear why the report has concluded that the contamination identified is 'hotspot' rather than site wide. There are no statistics in order to support this.

The reports have been referred to the Environment Agency to comment on the controlled waters risk assessment. Comments will be fed back when available.

In terms of the remedial works, until the above points are addressed, the remedial works cannot be considered further at this time. However, I would comment that further sampling at the site is considered likely due to the cut and fill works proposed, the excavations required and the need for imported material. In addition, a 300mm depth of fill in landscaped areas would not be in accordance with the Blackburn with Darwen Borough Council guidance, which specifies a min. 450mm in landscaped areas. Asbestos should be considered during any further site works in order to protect site workers and adjacent site users.

Further comments will be updated following the assessment of the amended/additional details by means of a committee update report upon receipt of the comments.

7.7 Growth – Housing

The Housing Growth Team would welcome good quality family homes in this location.

The principle of residential dwelling and mix is acceptable as proposals indicate a housing offer, which responds to the Council's growth strategy.

We would be supportive of the proposal subject to it meeting planning policy requirements and approval from Development Management.

In accordance with the Council's Affordable Homes Policy the developer will be required to provide 20% of the scheme for affordable housing. This can be on site, off site or through a S106 commuted sum payment.

We are supportive of new housing developments coming forward and will be willing to consider negotiating affordable homes provision/commuted sum requirement to support scheme viability.

7.8 Capita Ecology

The proposals are unlikely to have any significant effects on the integrity of any statutory or non-statutory sites and the reports provide recommendations for a range of habitats and species. We consider that the following issues that

were raised in the report's recommendations need to be addressed via planning conditions.

7.9 Highways

Parking provision is lacking for the 4 bed units, 3 spaces should be provided. Further to this some of the car parking spaces on the drives measure at 5.0m and not 5.5m (in accordance with the adopted Residential Design Guide), this needs to be addressed.

The scheme presents one main access point in from Queen Victoria Street. This is acceptable, subject to satisfactory sightlines. The internal road varies between 5.5 - 4.5m in width. The roads have been widened on the bend to accommodate the ability to allow to vehicles to pass one another, a 2m continuous footway runs along one side of the road. Where the footway connects through the POS and where it ends prior to the POS, a material change should support the safe crossing on the internal road.

TRANSPORT STATEMENT

This has been reviewed. The TS has not been redone, they have just responded to the conditions that were attached to the original approval, and have not provided a full and concise assessment in terms of trip movements. Further consideration is to be given to this.

OFF-SITE HIGHWAY WORKS

There is an issue with the number of accidents in the area. With the increase of residential dwellings in the area there is a need for a pedestrian crossing along New Chapel Street, near the site, I would request this is secured through a Grampian condition.

OTHER

Standard matters applicable to all housing scheme, please consider:

- wheel wash and method statement will be required to be submitted for approval
- new and renewed footways surrounding the site, all costs to be Bourne entirely by the developer
- street furniture affected by development should be removed and relocated where necessary at location to be agreed by highways officer - all costs to be borne by the developer
- any old entrances that are no longer required shut be permanently closed off and reinstated back to full footway

Additional comments were received on Friday 05/04:

Parking: driveway adjustments have been offered, a large number have been amended and now have the required 5.5m in length required. However there are still a number which do not fully satisfy the requirement. There are concerns that these vehicles would overhang the highway and affect the safety of pedestrians on the footway.

Access/Layout: upon review of the initial scheme, it was considered that the road had been widened on the bend; this current drawing shows this at 5.5m. The developer has offered a tracking plan to show a refuse vehicle can manoeuvre with ease. However this does not necessarily assess two vehicles passing one another, with is probably the daily occurrence that we should be designing for – this should be considered as part of the Technical Construction Approval.

A connective pedestrian path has been provided to link from the site to New Chapel Street, this should be presented for adoption and lit. Gradient to be approved at Technical approval.

Transport Statement: the response received is satisfactory, no further details are required

Offsite highway Works: the works to support the development are in effect a Raised Zebra Crossing, please attach this as a Grampian condition, for a scheme to be received for approval and works to be carried out prior to occupation of first dwelling. The local authority insists on design and delivery and the applicant are advised to contact the Highway Authority to progress the scheme.

Retaining Wall Structure: some details are received; however there are insufficient details with regards to the gabion wall calculations, please could we attach the structure informative, for the remaining details to be picked up at Technical Construction Approval with highways

7.10 Growth – Viability

Final comments still yet to be received

7.11 United Utilities

No objections, subject to conditions requiring separate foul and surface water systems, submission of a drainage scheme and details of maintenance/management of the sustainable drainage system; as also required by the Local Flood Authority.

7.12 Environment Agency

No objection to the proposed method of remediation as proposed for those parts of the site to which the above reports pertain.

7.13 Neighbours

5no individual letters of objection have been received (see Section 11).

8.0 CONTACT OFFICER: Rebecca Halliwell - Planner

9.0 DATE PREPARED: 05th April 2019

10.0 SUMMARY OF REPRESENTATIONS

Objection - Ian Moorcroft, 2A Mill Hill Street, Blackburn. Rec - 04/02/2019

To Who It May Concern, regards Reference No 10/19/0056
(Full Planning Application - Demolition of existing buildings.
on site and the erection of 68 dwellings & associated works,
Land off Queen Victoria Street Blackburn BB2 2RZ

My Concerns ~~is~~ or advice, recommendations for this is
Junction, Bottom of Mill Hill St./Queen Victoria Street to be
widened, ammended, STOP sign installed at junction extra.
Road markings, widening of Road. because traffic, wagons,
Long HGV, Busses mount the Kerb on both sides of
pavement. Q.V.S./Mill Hill st junction causing loud

traffic noise, damage to kerbs. maybe even widen the road all the way around from bottom of Mill Hill St to top of New Chapel St. where construction ends. There will be a increase of footfall, children. esp at the bottom mill hill st. bus. stop. and the children using it, getting to and from should not have to have their safety to and for compromised. it is a bad junction, It is also (Mill Hill St) a main road, very busy all times of day, night, maybe all of Mill Hill St needs widening, or moving of houses back? , , /

Objection - Workgreat Ltd, Peel Street, Mill Hill, Blackburn. Rec – 12/04/2019

12 / 02 / 2019 Letter for Rebecca Halliwell,

Growth & Development Dept Town Hall Blackburn Your ref 10/19/0056

Hi

We own the land / Business next door to the proposed development on Queen Victoria St Mill Hill Blackburn.

Having seen the plans we have a few reservations we think you should be aware of, whilst the obvious improvement to the area will clearly benefit everyone we are concerned about the noise our joiners shop would have on the adjacent housing shown on the plans. As I am assure you are aware we have been on the site on Peel st for about 30 years, In our busy joiners shop we use Circular saws constantly from 8am to 5pm each day. Our main workshop is just 50' or so from the corner three houses, Also as our site is very long we have an outside bell to tell us the phone is ringing, Whilst we only work six days a week and never at night we often start at 6 am in peak times like from Easter to November, I must also point out that we are regularly targets for burglars (when I say regular I do mean once or twice a week) so our audible alarm will keep our new neighbours up. Whilst it only takes us around twenty minutes to attend it will not be funny for anyone living close as sound really travels at night. That problem will either get much much worse with the houses or considerably better, time will tell.

The other point we would like to make is what happens if someone who buys / rents one of these houses and works nights and expects to sleep during the day ?

Could we possibly suggest that there is a distinct barrier between ourselves and any housing of at least 50' with some very high trees at least 3 to 4m to deaden sound or we are going to have some pretty angry house owners / renters. (We would be most happy to maintain this space)

Perhaps the Builders should be made to indemnify ourselves with an insurance policy should we have problems from house owners / renters who are too close to our property We do not know how or if this can happen.

Please, please don't think we're opposed to houses because we are all for regeneration (the area needs it)

We just believe there should be a barrier / buffer zone between work areas and living areas.

I should also mention that we do run a Machine outside called a firewood processor, this is a machine that turns tree's into firewood it is particularly noisy but we have that half way down our land. (that runs every Saturday and sometimes during the week)

We also have a feeling that the back of the office (which was up when we purchased the property) could be made from some form of asbestos, the office is the border to this said land.

I have attached our websites so you can see what we do.

www.lancashiresummerhouses.co.uk

www.thefencingandfirewoodfactory.cvo.uk

Objection – Mr & Mrs S Fitton, 6 New Chapel Street, Blackburn. Rec – 12/04/2019

To whom it may concern.

I writing with regards
to the letter you sent
for the planning application
on Queen Victoria St
for 68 houses.

Last year we had to
go through all the noise

disruption of parking
and more serious cracks
in walls and floor with
the constant banging
that was made to the
houses being built on the
land that was the Blind
Works.

Next door to our house
is the sun bed shop. I
have Donna's Smith permission
to include in this letter
when she complained about
the sun bed's shaking when
client's were on them.

There is also a big
crack in the wall at the
end of the property. I doors
down at No. 2.

I believe that the trees
also are being removed
and the bats feed of them
I have notified the bat
protection people.

I am concerned about
the damage that will be
done with the constant
drilling I can't go through
that again. I have just

~~Home~~ come home from
hospital after having a
stroke and have to go
through my cancer treatment
There is no need for
more new house especially
on that land that once was
a scrap yard we were

informed a few years ago
that the land wasn't suitable
for houses, there are other
houses being built in
the area.

I don't think that
you or the council realise
what you are doing
to are properly plus the
stress. I don't mind
the works being there he is
auntie.

We strongly object to
this application. I feel that
our home is in more

danger of being damaged
People that don't live
in this area condemn this
application including

Councilors that live at
the other side of town
and the Gas place on
Queen Victoria Street that
is up for sale.

Please don't let this
application go through. If I
could I would come to
the meeting but I have
explained why I can't

There is an opportunity
for houses on Sparrow Lane
that was Lanside

Please keep me informed
of any further progress

Objection – Miss R. Rec – 26/04/2019

Site Address: Land off Queen Victoria Street Blackburn BB2 2RZ

Proposal: Demolition of existing buildings on site and the erection of 68 dwellings and associated works

Application Number 10/19/0056

Planning Officer: Rebecca Halliwell

20th January 2019.

Dear Rebecca,

I write in regards to the recent application that has been put forward on the land adjacent to Waterfall Mill, Mill Hill, Blackburn.

As a resident to the area, I have several concerns in relation to the application that has come forward particularly with the amount of proposed homes on the application.

In recent years we have seen several smaller sites finished in the area and subsequently struggle on the open market when offered for sale, therefore leaving the properties empty. Just looking through the properties that are on the market either for sale or to rent within 0.25 of a mile there are many homes that are vacant.

There has been a site in close proximity to Victoria Street, which has been partly constructed just off Charles Street, Blackburn. This was also purchased by a small home builder and left un-finished. Another eyesore to the area that then attracts crime.

All residents that have lived in the area for some time will know that the former site was used as a scrap yard for many years, just overlooking the land contamination reports, there is some serious work to be carried out in order to make the land and surrounding areas safe for the 'families' that the suggested scheme is presenting itself to.

Many national home builders have recently built or submitted applications to build in Blackburn, which will more than likely be pursued and completed in areas that do require mid to higher range housing. I cannot see that this development will bring anything to the area other than additional traffic to an extremely hectic Queen Victoria Street, along with added stress to local schools, health centres and community infrastructure in general. Following other schemes in similar areas, these properties will be offered to market no doubt over the value that the market dictates in that area, pushing the developer to rent the properties, adding more rental property to an area that is already over saturated.

I would be extremely grateful if you would bear in mind my comments when reviewing the application overall but particularly the sheer amount of houses to be built on such a small area of brownfield land.

To Rebecca Halliwell,

I am thrilled that the erection of 68 dwellings adjacent to my bungalow are to be built, but need to state that the bus route / main road through Mill Hill (MILL HILL ST) needs to be taken into account.

In the last 18 months of my residence, I have seen quite a few minor accidents at the junction of Queen Victoria St. / Mill Hill St. and feel there needs to be a priority on this junction and the widening of the roads.