

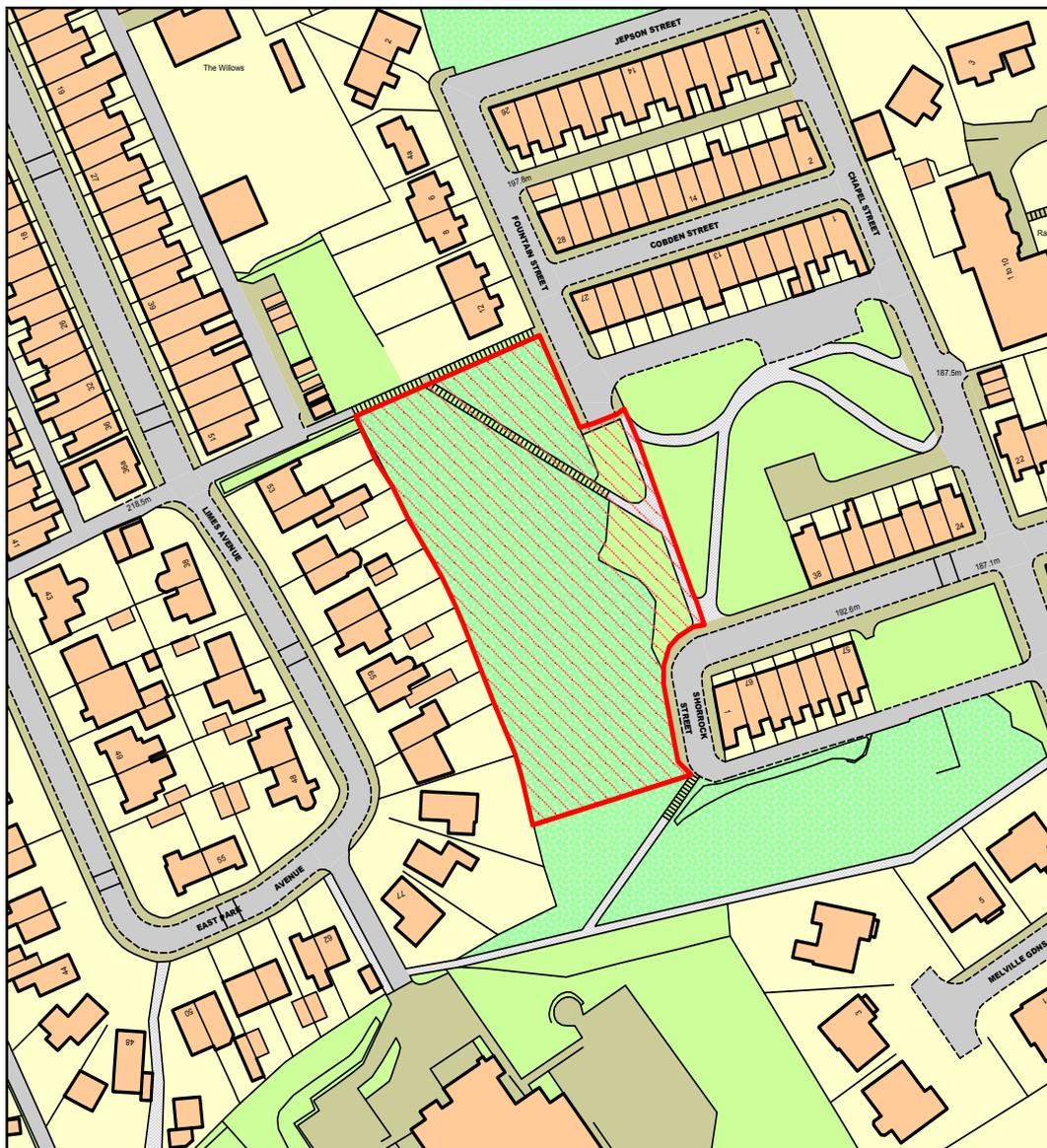
Proposed development: Full Planning Application for Construction of 10 no. semi-detached dwellings

**Site address:
Land at Fountain Street
Darwen
BB3 2NL**

Applicant: Mr A Shorrocks

Ward: Darwen West

**Councillor: Dave Smith
Councillor: Brian Taylor
Councillor: Stephanie Brookfield**



1.0 SUMMARY OF RECOMMENDATION

- 1.1 APPROVE – Subject to a Section 106 Agreement relating to the provision of off-site affordable housing, off-site Green Infrastructure and conditions; as set out in paragraph 4.1.**

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 The proposed development is consistent with the Borough's strategic aims and objectives, in that it corresponds with the Council's overarching growth strategy, through delivery of quality housing which will assist in widening the choice on offer for families in the Borough, in a sustainable location. It also secures mitigation for loss Green Infrastructure (GI), in the form of enhanced provision in the locality. This is in accordance with the Local Development Plan. 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 is essentially rectangular in shape, measuring circa 0.3 hectares in area. It lies within Darwen's Urban Boundary and is allocated as Green Infrastructure (GI); in accordance with the Local Plan Part 2. Its position to the west of Fountain Street and Radford Street is within an area predominantly residential in character, defined by dwellings of mainly terraced form, with the exception of a row of semi-detached to the immediate north.
- 3.1.2 Access is taken from the southern end of Fountain Street, beyond which lies a pedestrian footway that links through to Radford Street. The footway cuts through the GI area which comprises the steeply sloping, woodland covered application site and open grassed space to the east. A pedestrian footway runs adjacent to the northern boundary of the site linking Fountain Street with Limes Avenue. A secondary footway runs through the site linking into this footway from the approximate point of the footway linking Fountain Street with Radford Street. An alternative access runs through to Limes Avenue from Shorrock Street, outside of the application, along the southern edge of the GI allocation. Topography of the area generally sees land levels rise significantly from east to west.
- 3.1.3 The site is well served by the local road network, and access to local amenities and public transport links along the A666 are within a reasonable walking distance. Darwen town centre, a short distance away, offers frequent services for commuters to destinations including but not limited to Manchester, Bolton, Clitheroe and Preston.

3.2 Proposed Development

- 3.2.1 The proposal is a full planning application for the erection of 10no. semi-detached dwellings (5no. pairs) with gardens, and associated highway infrastructure and landscaping.
- 3.2.2 The dwellings will be laid out in linear form, fronting the open space to the east. A significant proportion of woodland, including trees protected by Preservation Order, will be lost to accommodate the development.
- 3.2.3 A new access road, including footway, will link Fountain Street with Radford Street, displacing the existing footpath.
- 3.2.4 Due to the constraints and topography of the site, each dwelling will be set over 4 floors, presenting as 3 storey (with utilised roof space) to the street scene and traditional 2 storey at the rear.
- 3.2.5 Each dwelling has a gross internal floor area of 163.78 square metres, plus an integral garage of 17.93 square metres.

3.3 Development Plan

- 3.3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

3.3.2 Core Strategy

- CS1 – A Targeted Growth Strategy
- CS5 - Locations for New Housing
- CS6 – Housing Targets
- CS7 – Types of Housing
- CS8 – Affordable Housing Requirement
- CS15 – Ecological Assets
- CS16 – Form and Design of New Development
- CS18 – The Borough’s Landscapes
- CS19 – Green Infrastructure

3.3.3 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 12 – Developer Contributions
- Policy 18 – Housing Mix
- Policy 38 – Green Infrastructure on the Adopted Policies Map

- Policy 40 – Integrating Green Infrastructure and Ecological Networks with New Development
- Policy 41 – Landscape

3.4 Other Material Planning Considerations

3.4.1 Green Infrastructure Supplementary Planning Document (GI SPD)

3.4.2 Residential Design Guide Supplementary Planning Document

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

3.4.3 National Planning Policy Framework (The Framework) (2019)

The Framework sets out the government's aims and objectives against which planning policy and decision making should be considered. The following sections of the Framework are considered relevant to assessment of the proposal:

- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and Enhancing the Natural Environment

3.5 Assessment

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

- Principle of residential development;
- Trees;
- Ecology;
- Highways;
- Amenity;
- Design;
- Drainage;
- Affordable housing.

3.5.2 Principle

The principle of the development is considered under the Blackburn with Darwen Local Plan Part 2: Site Allocations and Development Management Policies; particularly Policy 9 – Development and the Environment, and Core Strategy Policies CS1, CS5, CS6, CS7, CS8 and CS19.

3.5.3 The site lies within Darwen's defined Urban Boundary and is allocated as Green Infrastructure (GI); in accordance with Local Plan Part 2 Policies 1 and 9 respectively. The proposal is consistent with Policy CS5 which sets out that the preferred location for new development will be within the urban area. It will also contribute towards delivery of family housing, consistent with policies CS6 and CS7 and in making a contribution for off-site affordable housing provision as set out in CS8.

3.5.4 The entirety of the application site is allocated as GI. The Council's adopted GI SPD quotes Natural England's definition of GI as "*...a strategically planned and delivered network of high quality green spaces and other environmental features. It should be designed and managed as a multifunctional resource capable of delivering a wide range of environmental and quality of life benefits for local communities. GI includes parks, open spaces, playing fields, woodlands, allotments and private gardens*". The SPD sets out the acknowledged multiple functions of GI as:

- Setting the scene for growth, creating a good quality of place and quality of life and supporting sustainable economic growth;
- Supporting physical and mental health and well-being;
- Providing for recreation, leisure and tourism;
- Supporting the rural economy;
- Helping to manage flood risk;
- Supporting mitigation and adaptation to climate change;
- Positively benefitting the historic environment; and
- Enhancing the ecological network and promoting biodiversity.

3.5.5 The developed area consisting of 5 pairs of dwelling houses and associated front and rear gardens will result in the loss of a portion of the GI. The remaining area of the application site, including land to the south of the developed area and a tree belt to the west, adjacent to dwellings on Limes Avenue, will be retained as publicly accessible open space. The remaining GI allocation outside of the application site extending eastwards up to Chapel Street and Melville Street is unaffected by the proposal.

3.5.6 Consideration of the partial loss of the GI is appropriately assessed against paragraph 5, entitled "Green Infrastructure", of Policy 9 of the Local Plan Part 2, which sets out that:

Development involving the partial or complete loss of land identified as GI on the Adopted Policies Map or any unidentified areas of open space including playing fields; and any development which otherwise has the potential to result in the severance of GI connections, will not be permitted unless:

- i) The development can be accommodated without the loss of the function of open space;
- ii) The impact can be mitigated or compensated for through the direct provision of new or improved GI elsewhere or through the provision of a financial contribution to enable this to occur; or

- iii) The need or benefits arising from the development demonstrably outweigh the harm caused and the harm can be mitigated or compensated for so far as is reasonable.

3.5.7 It is accepted that the proposal will result in the partial loss of GI. Policy 9 does not, however, prohibit development in such circumstances, provided at least one the above criteria (i –iii) is achieved. As the proposal seeks to mitigate the partial loss of the GI / open space through a financial contribution (captured through a Section 106 Agreement) of £14,060 (1406 per dwelling), it is considered compliant with criterion ii. This contribution will provide additional equipment on the play areas and / or path enhancement works at Bold Venture Park, Darwen.

3.5.8 Accordingly, Members are advised that the development is considered to be acceptable in principle, on account of a Section 106 contribution for compensatory GI improvements and the sites evidently sustainable location; in accordance with the aims and objectives of the Local Development Plan and The Framework; subject to assessment of additional matters set out in paragraph 3.5.1.

3.5.9 Environment

Policy 9 requires that development will not have an unacceptable impact on environmental assets or interests, including but limited to climate change (including flood risk), green infrastructure, habitats, species, water quality and resources, trees and the efficient use of land.

3.5.10 Trees

Policy 9 with regard to tree assessment emphasises that, where it appears likely development will result in the loss of or harm to trees of significant amenity, nature conservation or intrinsic value (including veteran trees and woodland), the Council will consider making a Tree Preservation Order to ensure that due consideration is given to the importance of the trees in the planning process and that, where development is proposed which would result in the loss of protected trees, 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.

3.5.11 An Arboricultural Impact Assessment has been submitted to supplement the application. It states that the proposal will result in the loss of “38 low category trees”, 6 of which are protected by *Tree Preservation Order (TPO)*; identified as T10, T13, T14, T15, T16 and T17 on the Council’s TPO plan for the area (Fountain Street TPO – applied 25th July 1990), and T13, T14, T25, T36, T37 and T42 on the submitted tree survey plan. The Assessment has been independently peer reviewed by the Council’s Arboricultural consultee for the application; Urban Green. The review establishes the dominant on-site species as Ash, Birch and Maple with younger, smaller or occasional

Sycamore, Willow and Horse Chestnut with an understory of Cherry and Hawthorn.

- 3.5.12 The tree identified as T38 on the submitted tree survey is noted as a semi mature birch tree, regarded as a Category B tree, in accordance with British Standards guidance, with the potential to develop into a Category A tree. It is not protected by TPO. Although the value of the specimen is acknowledged, the proposal, as involving much of the embankment to be cut away would likely impact on the rooting area of this tree. Moreover, the Root Protection Area (RPA) of the tree would significantly encroach into the proposed highway linking Fountain Street with Radford Street / Shorrocks Street.
- 3.5.13 A total of 11 trees with TPO's applied were assessed as part of the proposed development. A Sycamore (T65) is to be retained, as it is in good physiological and structural condition. As a current category B tree, with the potential to develop into a category A, it will offer significant visual amenity value in the context of the proposed development.
- 3.5.14 Two Birch (T56 & T62) trees may also be retained if the development allows it. The amenity value of these trees is, however, considered to be limited, to such an extent that they would not qualify as worthy for protection when assessed in accordance with the current tree evaluation method for Tree Preservation Orders (TEMPO). Retention of these trees, is not, therefore, considered necessary at all costs.
- 3.5.15 The TPO trees proposed to be removed are all Birch specimens. Birch are considered as pioneer trees and one of the shortest British native species, reaching maturity at around 40 years before they start to decline. Since the 1990 TPO application was imposed the trees have developed many defects, as would be expected with birch trees past maturity. To have been suitable for a TPO 30 years ago, the trees would have been at least early mature. The rate of decline, therefore, will only increase over the coming years. In this context, the trees are considered to have limited amenity value to the immediate surrounding area and no objection is, therefore, offered against their removal.
- 3.5.16 It is accepted that there are no other TPO trees on site that warrant retention over development.
- 3.5.17 The merits of applying a group TPO is considered to be limited, on account of the low amenity value of the wooded area, notwithstanding its highly visible position. Their current value, when assessed against current British Standards methodology, would be a Category C. The absence of any evident past management of the area, including woodland thinning, is recognised as a contributory factor in the low amenity assessment.
- 3.5.18 T38 is a semi-mature Birch tree that should be regarded as a Category B tree. It is assessed as worthy of retention if the development allows. On account of its position relative to the construction of the new highway, it is accepted that retention may not be possible. It is considered that care should be taken during construction phase of the development to preserve the RPA of the tree

and that TPO should be applied if it is retained. If retention is, however, too restrictive due to construction methodology, it is considered that retention should not constrain development. A condition to require hand tool excavation to assess the extent of root proliferation to inform the decision as to retain or remove the tree is recommended.

3.5.19 A significant boundary tree cover to the rear of the site, adjacent to properties on Limes Avenue, will remain in place.

3.5.20 The Urban Green assessment is considered to be an appropriately robust approach to establishing the value of trees to be removed. The assessment clearly concludes that there are no objections to the proposed development, from a tree removal perspective.

3.5.21 Notwithstanding assessment of trees to be lost, due consideration should be applied as to protection of trees to be retained both on site and immediately adjacent to the site. The successful retention of the trees depends on robust protection measures during construction and management strategy thereafter. The most appropriate means for this to be achieved is through an Arboricultural Method Statement; to be secured through application of an appropriately worded condition.

3.5.22 A substantial replanting scheme, including numbers and species, will also be secured by condition to adequately compensate for the loss of trees. Replanting will be undertaken at an appropriate location within the vicinity of the site.

3.5.23 The assessment is considered to demonstrate support for the proposal from an arboricultural perspective; in accordance with the requirements of Policy 9 and The Framework.

3.5.24 Ecology

Policy 9 with regard to ecology assessment emphasises that development likely to damage or destroy habitats or harm species of international or national importance will not be permitted. That development likely to damage or destroy habitats or species of principal importance, Biological Heritage Sites or habitats or species listed in the Lancashire Biodiversity Action Plan will not be permitted unless the harm caused is significantly and demonstrably outweighed by other planning considerations and an appropriate mitigation strategy can be secured; and that development likely to damage or destroy habitats or species of local importance will not be permitted unless the harm caused is outweighed by other planning considerations and an appropriate mitigation strategy can be secured.

3.5.25 Although the site does not have any special ecological status beyond the Local Plan Part 2 GI allocation, two nature conservation sites are identified as within 440 metres of the site; these are the West Pennine Moors Site of Special Scientific Interest (SSSI) and the Darwen Moor Biological Heritage Site. Although the site falls into the Impact Risk Zone for the West Pennine Moors SSSI, no further consultation or assessment is required in this regard, on account of the planning application proposing less than 100 units.

- 3.5.26 A Preliminary Ecological Appraisal has, nonetheless been submitted to supplement the application. It has been initially peer reviewed by the Council's ecology consultee Capita Ecology, who recommended the undertaking of ground level tree root assessment and a Bat Activity Transect Survey, due to the woodland providing potential habitat for bats and as a commuting corridor between other potential roosts within surrounding buildings and the wider landscape. The assessments / surveys were subsequently submitted and peer reviewed. Since April 2019, the Council's Ecology Consultee has been amended and all assessments are now peer reviewed by the Greater Manchester Ecological Unit (GMEU). As part of GMEU's peer review of the submission they were sent details of the initial submission and the initial comments made by Capita Ecology. Review of the ground level bat roost assessment (undertaken 7th April 2019) found 17 trees to have low potential to support roosting bats, of which seven are proposed to be lost to the development. On account of this identified low potential, it is recommended that a precautionary bat inspection of the trees immediately prior to felling is undertaken, by a suitably qualified person and that, if any bats are found, work should cease and advice sought from a suitably qualified bat worker; to be secured by an appropriately worded condition.
- 3.5.27 A single tree (identified as A7 in the assessment) was found to have a moderate bat roosting potential. This tree is, however, to be retained.
- 3.5.28 In recognition of the sites potential as a bat commuting corridor, as established by the Bat Transect Survey, additional bat activity surveys are recommended to be undertaken during the activity season (between mid-May and August), in order to inform the importance of the area for bats and any necessary mitigation. The surveys are to be secured by condition.
- 3.5.29 GMEU also recommend tree protection measures, aligned with those required by under the Arboricultural Method Statement, in order to prevent root system damage.
- 3.5.30 Capita Ecology's initial recommendations for conditions requiring a Badger Activity Survey; a strategy for the eradication / management of invasive, non-native species on site and a lighting strategy to minimise impact on bats and their insect food should also be applied.
- 3.5.31 Ecological enhancement should also be provided in the form of a comprehensive soft landscaping scheme, in addition to the tree re-planting scheme; to be secured by condition.
- 3.5.32 The assessment is considered to demonstrate support for the proposal from an ecological perspective; in accordance with the requirements of Policy 9 and The Framework.
- 3.5.33 Drainage
Appropriate drainage methodology is required to be implemented, with foul and surface water to be drained on separate systems. Surface water drainage shall be achieved in accordance with the non-statutory Technical

Standards for Sustainable Drainage Systems (March 2015); to be secured by condition.

3.5.34 Amenity

Policy 8, supported by the SPD, requires a satisfactory level of amenity and safety is secured for surrounding uses and for occupants or users of the development itself; with reference to noise, vibration, odour, light, dust, other pollution or nuisance, privacy / overlooking, and the relationship between buildings.

3.5.35 The proposed layout incorporates appropriate separation standards between proposed dwellings within the site and those adjacent to the site; as advocated by the Residential Design Guide SPD; ie. a minimum of 21 metres between facing windows of habitable rooms of two storey dwellings and 13.5 metres between habitable rooms and a blank wall / non-habitable rooms. The sites topography guards against any impact on existing dwellings to the rear of the site along Limes Avenue. Acceptable levels of mutual amenity are, therefore, achieved.

3.5.36 Application of planning conditions are recommended by the Council's Public Protection consultee to require assessment of underground conditions to guard against ground contamination; to provide electric vehicle charging points and to control boiler emissions in order to mitigate air quality impact (in accordance with the Council's adopted *Air Quality Planning Advice Note*). A degree of disturbance during construction phase of the development is acknowledged as inevitable. This disruption is, however, temporary and considered acceptable, subject to application of a condition limiting hours of construction, in order to secure appropriate noise and vibration protection during construction works.

3.5.37 Accordingly, compliance with Policy 8 of the Development Plan is achieved.

3.5.37 Highways / Accessibility / Transport

Policy 10 requires that road safety and the safe, efficient and convenient movement of all highway users is not prejudiced, and that appropriate provision is made for off street servicing and parking in accordance with the Council's adopted standards.

3.5.38 A Transport Statement has been submitted to supplement the proposal. The Council's highways consultee has reviewed the submission and offers no objection to the proposal. The layout demonstrates appropriate 2 space off-street parking for each of the 3 bed properties; comprising 1 driveway space and one integral garage space. All spaces, including garages sizes are accepted as compliant with the Council's adopted standard.

3.5.39 A new estate road is proposed, linking the southern edge of Fountain Street with the northern edge of Radford Street. It will run across the front of the proposed properties, providing appropriate access to each. The road is compliant with the adoptable 5.5m carriageway / 2.0m footway standard.

- 3.5.40 Public objections have been received expressing concern towards an increase in traffic travelling through the highway network off the A666 to and from the site. Any traffic increase is, however, accepted by the highway consultee as manageable and not sufficiently impactful to demonstrably harm highway efficiency.
- 3.5.41 Public objections have also been received expressing concern at the loss of the pedestrian links through to Limes Avenue from Fountain Street adjacent to the northern edge of the site and Shorrocks Street to the south of the site. Members are advised that these links remain fundamentally unaffected by the proposal and will continue to provide efficient and convenient pedestrian passage to and from St. Joseph's Primary School. The only change in this regard will be the loss of the connective secondary footpath linking the footpath currently running between Fountain Street and Radford Street with the footpath running along the northern edge of the site.
- 3.5.42 Application of conditions to require submission of retaining structures adjacent to the public highway and a Construction Management Statement are necessary for approval, prior to commencement of development.
- 3.5.43 The assessment is considered to demonstrate support for the proposal from an highway efficiency perspective; in accordance with the requirements of Policy 10 and The Framework.
- 3.5.44 Design / Character and Appearance
Policy 11 requires a good standard of design and will be expected to enhance and reinforce the established character of the locality and demonstrate an understanding of the wider context towards making a positive contribution to the local area.
- 3.5.45 The proposal will be laid out in linear form, comprising 5 identical pairs of semi-detached garden fronted dwellings, contiguous with existing semi-detached dwellings fronting Fountain Street. On account of the sloping nature of the site, each dwelling will be split level, presenting as three storey to the street scene (total height c. 13m) and two storey to the rear (total height c.7.6m); in contrast to the two storey form adjacent. Notwithstanding this increase in height, the topography of the application site and the open space that it front's, represents a setting somewhat unique from the typical characteristics of the surrounding area. Through appropriate utilisation of existing topography, the development will appear well-integrated and proportionate to its surroundings, forming a distinct grouping overlooking the open space to the front. Dwellings will also be proportionate to individual plot sizes, on account of adequate sized front and rear gardens. Moreover, the gable roof forms and fenestration proposed suitably responds to the character of the developed area.
- 3.5.46 External walling and roofing treatments and detailed boundary treatments will be secured by condition.

3.5.47 Accordingly the development is considered to accord with the high standard of design principles set out in Policy 11 and the Residential Design Guide SPD of the Development Plan, and The Framework.

3.5.48 Affordable Housing

Payment of a Section 106 Commuted Sum for £25,000 will be secured to deliver off-site affordable housing.

3.5.49 Other matters

At the time of writing this report, Members should be aware of a separate Prior Notification Telecommunications application relating to the installation of a 25 metre high telecommunications mast and associated equipment on land to the west side of Chapel Street, Darwen, submitted by Internexus (ref: 10/19/0365). The siting of the proposed mast is on the GI land to the west of the application site presented to members, and will be directly facing the proposed dwellings. A decision on this application is due to be made by the 23rd July 2019.

3.5.49 Summary

This report assesses the full planning application for the residential development on land at Fountain Street, Darwen. In considering the proposal, a wide range of material considerations have been taken into account to inform a balanced recommendation that is considered to demonstrate compliance with the aims and objectives of the Local Development Plan and The Framework.

4.0 RECOMMENDATION

4.1 Approve subject to:

(i) **Delegated authority is given to the Director for Growth and Development to approve planning permission, subject to an agreement under Section 106 of the Town & Country Planning Act 1990, relating to the payment of £39,060; broken down as follows:**

- **£1406 per unit towards Green Infrastructure in the area (details of where to be spent to be confirmed) and**
- **£2500 per unit towards provision of affordable housing in the borough.**

Should the Section 106 agreement not be completed within 6 months of the date of the planning application being received, the Director of Growth and Development will have delegated powers to refuse the application.

(ii) Conditions which relate to the following matters:

- Commence within 3 years
- Submission of external walling and roofing materials
- Submission of boundary treatments

- Submission of Arboricultural Method Statement, including tree protection measures
- Submission of tree replanting scheme to be agreed in a location close to the application site
- Hand tool excavation of tree T38, supervised by an Arboricultural Consultant to assess extent of root proliferation to inform decision to retain or remove
- Submission of a hard and soft landscaping / biodiversity scheme
- Submission of Bat Activity Surveys between May and August
- Submission of a Badger Activity Survey
- Submission of a Control / Eradication Method Statement for management of invasive, non-native species
- No tree felling or vegetation clearance between March and August, unless the absence of nesting birds has been established
- Submission of a lighting strategy
- If construction of the development has not commenced within two years of the date of submitted Preliminary Ecological Appraisal (LKC Group – February 2019), an updated appraisal shall be submitted to and approved in writing by the Local Planning Authority. Any required mitigation shall inform the biodiversity enhancement / mitigation strategy and landscaping strategy for the development
- Foul and surface water to be drained on separate systems
- Submission of a sustainable urban drainage system (SUDS) and management plan to cater for surface water
- Submission of a delineated footway scheme along the new access road
- Submission of management and maintenance details for new highway infrastructure within the development
- Submission of highway infrastructure engineering details including drainage, street lighting and street construction
- Submission of details relating to retaining structures adjacent to the public highway
- Removal of lighting column within woodland
- Submission of a Construction Management Statement
- Visibility splays not to be obstructed by any building, wall, fence, tree, shrub or other device exceeding 1m above crown level of the adjacent highway
- Contaminated land - submission of detailed proposals for site investigation
- Contaminated land – submission of validation report demonstration effective remediation
- Unexpected contamination
- Provision of air quality mitigation in the form of dedicated motor vehicle charging points and boiler emissions
- Submission of dust suppression scheme
- Limited hours of construction:
 - 08:00 to 18:00 Mondays to Fridays
 - 09:00 to 13:00 Saturdays
 - Not at all on Sundays and Bank Holidays
- Permitted Development Rights to be removed
- Development in accordance with submitted details / drawing nos.

5.0 PLANNING HISTORY

5.1 No planning history exists for the site.

6.0 CONSULTATIONS

6.1 Arboricultural Consultee (Urban Green)

Detailed comments refer to paragraphs 3.5.12 to 3.5.23. No objections to the proposed development going ahead:

Care should be taken to retain T38, however if this is too restrictive, it should not constrain development;

T65 should be retained with the current TPO (T9);

T56 (TPO T11) and T62 (TPO T12) should be retained if possible but with a current TEMPO assessment would not qualify for a TPO so should not constrain development;

The tree group has a whole would not qualify for a TPO with a current TEMPO assessment and should not constrain development;

The remaining TPOs were placed in 1990 – the trees have declined since and with a current TEMPO assessment would not qualify for a TPO and should not constrain development.

6.2 Drainage Section

No objection subject to foul and surface water drainage schemes (including SUDS) conditions.

6.3 Environmental Services

No objection.

6.4 Public Protection

No objection subject to conditions:

Noise

- Site working hours to be limited to between 8am-6pm (Monday-Friday) and 9am-1pm on Saturdays. No works on Sundays or Bank Holidays.
- Pile driving noise / vibration assessment

6.4.1 *Air Quality*

- Provision of a dedicated electric vehicle charging point at all dwellings.
- Limitation of gas powered boiler types to control emissions.

6.4.3 *Contaminated Land*

- Submission of detailed proposals for site investigations.
- Submission of validation of remedial measures.
- Unexpected contamination.

6.5 Highways Authority

No objection subject to conditions:

- Submission of Construction Method Statement.

- Junction improvements including traffic calming measures
- Submission of retaining structure details adjacent to public highway

6.6 Strategic Housing

No objection in recognition of the proposal contributing towards the Council's housing offer and growth strategy; subject to Section 106 contribution towards affordable housing.

6.7 Capita & GMEU Ecology

No objection subject to conditions:

- Bat Activity Surveys
- Badger Activity Survey
- Precautionary bat inspection of the trees immediately prior to felling to be undertaken, by a suitably qualified person
- Eradication / management of invasive, non-native species
- Tree protection measures
- No tree felling during bird nesting season
- Ecological enhancement by means soft landscaping and tree replanting scheme
- Lighting strategy to safeguard bat habitat

6.8 Education

No objection

6.9 United Utilities

No objection subject to conditions:

- Separate foul and surface water drainage systems
- Submission of Sustainable Urban Drainage scheme
- Submission of a Sustainable Urban Drainage Management and Maintenance plan.

6.10 Lancs Fire Service

Standard advice offered

6.11 Public consultation has taken place, with 41 letters posted to neighbouring addresses; a press notice published 23rd March 2019; and display of three site notices on 28th February 2019. In response, 41 objections and 4 general comments were received which are shown within the summary below. In addition, two objections have been received from the Ward Councillors as summarised in Section 9.

7.0 CONTACT OFFICER: Nick Blackledge – Planner, Development Management.

8.0 DATE PREPARED: 5th June 2019.

9.0 SUMMARY OF REPRESENTATIONS

Objection – Councillor Brian Taylor – 07/03/2019 & 30/03/2019:

I too share some of your concerns, particularly traffic, wildlife, steps to the school which I used to take my children up and down, and of course the trees.

I have copied the planning officers in to this email, and will ask them to consider these concerns. I have serious concerns regarding the wildlife habitat, traffic and trees. Please accept this as an objection to the PA.

Objection – Councillor Stephanie Brookfield – 09/04/2019:

I would like to object to the above Planning Application. Reference 10/19/0113

I'm concerned with the number of trees that would need to be cut down for this development.

Also the whole area is a corridor for wildlife and is designated as green infrastructure in the local plan.

Objection – Karen Porter, Rec – 28/02/2019

Hi

I received a letter today about the proposed planning permission at the end of Fountain Street I live on Fountain street and have lived there for 20yrs , to build 10 houses on that land would be detrimental to the residents who live there and surrounding streets we it will be to compact with traffic which we have a problem with now spoil a nice area taking away all the trees which i'm heard to believe have a protection order on them .There is a lot of young children play around this area on the fields at the end of Fountain street also most of all the privacy issue to existing residents going to have houses overlooking them ,noise as well .

Regards

Karen Porter

Objection – Warren Chapman, Rec – 01/03/2019

FAO Nick Blackledge

Hello Nick, I live near to the planned development and I am very concerned about the potential loss of trees. I am a Chartered Landscape Architect and have a good understanding of the significance of this woodland belt. I would like to OBJECT to this proposal in the strongest terms based upon;

1. Impact on Green Infrastructure. According to your Infrastructure and Delivery Plan 2016 green infrastructure is to be protected, especially with regards to connectivity. This piece of woodland on steeply sloping ground forms part of a "green corridor" linking the SSSI of the moorland with the listed landscape of Bold Ventue Park. It is a vital habitat link from countryside into this urban fringe setting. It will not be possible to compensate for this loss within the development.

2. Air Quality. According to your Air Quality Advisory Note this area of woodland sits above the Darwen Town Centre air quality management area. This piece of woodland acts as mitigation for pollution rising from the valley below, protecting homes and the nearby primary school and is a carbon store. These functions cannot be retained in this locality if the woodland is felled.

3. Highway safety. The existing junction of Radford St and the A666 gets congested due to short cutting to avoid congestion further along the A666. Radford St is steep and narrow and will form the primary exit route for the 10 New dwellings. These extra cars will increase congestion and pollution immediately adjacent to existing homes. Road traffic accidents are likely to increase as cars struggle to stop and pass on the steep road and pull out onto the A666.

4. Visual impact. The existing woodland forms a highly visible green backdrop to the houses around Fountain Street and can be seen from many locations. Including from across the valley. It forms part of the rural fringe setting that typifies this part of Darwen. The loss of this woodland will have a detrimental impact on local character and the setting of existing dwellings. The visual quality of the trees as a group has not been considered in the Arboricultural Report that forms part of the application.

5. Surface Water Flooding. The existing woodland belt helps protect houses below from surface water flooding and reduces the amount of surface water entering the piped drainage system. Darwen has a history of flash flooding that is getting more prevalent due to climate change. Removal of this woodland increases the likelihood of flash flooding in the immediate area AND in the valley below through over burden of existing drains.

Please can you confirm that all these points will be considered by yourself in deciding this application. I have copied Cllr Smith into this e-mail as part of my on going communication with him on this matter.

Regards

Warren Chapman BA (hons) Dip LA C.M.L.I.

Objection – Matthew McCain, 59 Radford Street, Darwen, Rec – 04/03/2019

Dear Mr Prescott

I am writing with regards to the planning application Ref. 10/19/0113 for development of land at Fountain Street, Darwen.

Whilst I have no particular objections to houses being built on the land at that location, I do object to the proposal to link Radford Street and Fountain Street by means of extending the road from Fountain Street to a new junction with Radford Street.

My reason for this is that the upper section of Radford Street is currently relatively quiet as it is effectively a cul-de-sac. I believe that this proposal would greatly increase the traffic using the upper section of Radford Street as it would create a short-cut from Radford Street to the houses on Fountain Street / Cobden Street and Jepson Street.

Equally, traffic accessing the top of Radford Street would likely cut through via Jepson Street and Fountain Street, therefore increasing traffic in those two streets.

I feel that the proposal would benefit the area more from a traffic perspective if the new development was a cul-de-sac rather than a thoroughfare. An increase of 10 houses is unlikely to greatly affect traffic in Radford Street, however, a thoroughfare creating access to other properties would. An entrance from either Fountain Street or Radford Street would be acceptable and in my opinion would provide the least impact from increased traffic.

I hope you take my comments into consideration.

Kind Regards
Matthew McCain

59 Radford Street, BB3 2PB

Objection Mary Cullen, Fountain Street, Darwen, Rec – 04/03/2019

I strongly object to the woodland on Fountain Street being destroyed to build houses!! Wildlife live in the trees including owls.

There will be increased traffic on the steep narrow streets.

There is enough "brown Land" in Darwen instead of getting rid of the Greenland!

The children play in the Woodland.

I want Darwen to be greener and healthy place to live in, especially for the children.

The site on Belgrave Road has never been finished, it's an eyesore!!

Why can't that land be used?

I hope you take the feelings of the people in this area when you consider your decision

Mary Cullen
Fountain Street
Darwen

Objection Mary Cullen, Fountain Street, Darwen, Rec – 04/03/2019

I strongly object to the building of 10 houses on green land on Fountain Street.

1. Most of the woodland will be cut down to build these house into a STEEP BANK.
2. This woodland provides habitat for the wild life. There are owls in the trees.
3. There will be more traffic using the steep narrow roads leading to the main road.
3. Children play in this area.

I want to keep Darwen greener and a healthy place to live.

There is a lot of brown land in Darwen that could be used. Why can't the houses be built on the site on Belgrave Road that was never finished?

The road is wider and nearer to the main road.

Please think seriously about your decision.

I look forward to hearing from you _____

Objection David Rushton, 67 Limes Avenue, Darwen, Rec – 04/03/2019

We strongly object to the proposed development related to the above application reference.

We feel that there is already far too much traffic in this area, especially in the catchment area of St Joseph's School. The council seems unable or unwilling to address this, so why add to the problem. This area is already densely populated and we need to retain what limited green space we have. Currently, we have an attractive view of trees to the rear of our property, which will be seriously spoilt should planning be granted.

We are also concerned about the risk of our property and that of our neighbours, land-sliding down the hill.

A better idea would be to create an access road to St Joseph's School and take out the high volume of traffic from parents who constantly block our drives, scratch our cars and subject us to verbal abuse when we ask them not to. Delivery vehicles also need access to the school, via streets that are too narrow and ill equipped to deal with these vehicles. I work shifts and have been woken up numerous times because of inconsiderate drivers parking badly and illegally and I'm woken to be requested to move cars that aren't mine. Enough is enough. NO MORE HOUSES

David Rushton
67 Limes Avenue
Darwen
Lancashire
BB32SG

Objection Valerie Kitchen, Cobden Street, Darwin, Rec – 05/03/2019

I object to the building of the houses on Fountain Street for the following reasons: 1/The trees that would be cut down are home to lots of wildlife and enhance the look of the area. Children use the space as a playground which is on their doorstep and parents can keep an eye on them whilst enjoying the fresh air and out doors. 2/The area around Cobden Street and Radford is already congested with lots of parked cars not only from residents but also from the employees of Capita at India Mill. This congestion is already causing problems especially for emergency vehicles and anyone wishing to go down Radford street by car has trouble seeing if anything is coming up as it is full of parked cars.3/There is nowhere for the work traffic that would be required for the building work except to block the already full streets making life difficult for everyone. 4/Where would the families from 10 more homes park their cars? There is hardly enough space at the moment on Cobden Street. I hope you will look at my objections before any decision is made and take them into account. Yours sincerely, Valerie Kitchen resident on Cobden Street for 17 years and proud home owner.

Objection Valerie Kitchen, Cobden Street, Darwin, Rec – 06/03/2019

In my previous email I forgot to mention that an owl lives in the trees in question and surely this needs to be protected. We are constantly being told about the effects on the environment for wildlife and also ourselves. This needs to be taken into consideration. Also I use my back gate entrance all the time as the front is always full of vehicles this opens straight onto a back alley with no pavement so not suitable for lots of traffic to use as an access road. As we all only have back yards and no gardens we have to keep at least one bin in the alley as there not room in the yards. What provisions do you intend to put in place for us residents in this situation on the left hand side of Cobden Street.? I look forward to your response. _____

Objection – Richard & Alison Hartley, 26 Cobden Street, Darwen, Rec – 05/05/2019

FAO Nick Blackledge/Our local councillors,

My husband and I would like to object to the planning application for 10 homes to be built on the land on Fountain Street Darwen Reference 10/19/0113.

Our concerns are as follows;

There will be an increase in the traffic using the narrow steep streets leading to the main road (A666)

Parking is already a concern and will be even worse.

Most of the woodland will be cut down to build houses into a steep bank- this woodland provides homes for wildlife including owls, helps to clear pollution from the air we breathe, enhances the value of our homes, provides space for children to play and for us to get together as a community (we often do this as an example we have a bonfire every November) and makes Cobden Street and the surrounding area a greener healthier place to live

Please we urge you to turn down this application.

Objection – Cobden Street Resident, Rec – 05/03/2019

The building of 10 houses at the top of Cobden street and Redford street is very upsetting there will be taking down beautiful trees a place for children to play where they are all safe and can be seen by there parents .I live on Cobden street and it is going to be terrible to park and emergency vehicles can hardly get up them there will be wagons and all sorts of machines up and down the street for at least 12 months Also as you turn onto Redford street you cannot see what is coming up with all the cars parked from Capita it is a dangerous street now Cobden street resident

Objection – Kirsty & Chris Wadman, 27 Cobden Street, Darwen, Rec – 05/03/2019

We would like to object to the proposed house build behind Cobden street for the following reasons:

1. Access to St Joseph's primary school on Limes Avenue by walking up the two sets of steps. This encourages families to walk and also relieves the congestion on Limes Avenue and East Park Avenue
2. This area is not disused. It is used by children to safely play out and brings community together
3. The area is already congested with vehicles due to Capita not providing sufficient parking for employees. They use Radford St and Cobden street for additional parking
4. The trees are inhabited by owls and bats, wildlife should be protected
5. If the houses are approved, where do the building vehicles propose to park in an already congested area as per the points above
6. Water pressure is already low and this would be even lower with additional houses

We feel an open meeting to discuss with all affected residents would be appropriate.

Objection Lynn McAuley, 12 Jepson Street, Darwen, Rec – 05/03/2019

I wish to object to planning application 10/19/0113

The wooded area is not disused, it is home to bats and owls, a safe place for our children to play and access to St Josephs School.

The construction would cause chaos for residents with extra traffic, noise, destruction of wildlife, pollution, it would take away a safe play environment for many local children.

Radford Street and Chapel Street are already congested due to insufficient parking for Capita employees, this will make the situation worse with construction vehicles accessing this area making it dangerous for children who are encouraged to walk to school.

I would appreciate it if a meeting could be held for all local residents to to air their views.

Objection Johnny Aspden, Rec – 05/03/2019

As a neighbour of the proposed development, I object to the planning application put forward. The reasons for this are:

- * the removal of trees proposed on the site, with 11 TPO's in place. The small woodland is a place where young children play, wildlife resides and local people use regularly. In regard to the wildlife, I'm not aware of any ecological survey that has been carried out, having looked at the application, as there is a small colony of bats that live there and it is also visited by owls.

- * another green area lost to development when there are numerous options to use up brownfield sites in Darwen, by using this land it takes away an aesthetically pleasing space, by using brownfield it shows the local authority making a positive move from disused, unattractive plots toward aesthetically pleasing. A relevant example of this is the construction of 2 dwellings recently on Chapel Street in the same area and I strongly believe that this doesn't create a precedent for the application.

- * there will be an increase in traffic using the steep, narrow streets, something that will become a major issue for residents. I imagine also there is not much scope to improve infrastructure in the area and that a section 106 agreement has not been proposed.

- * the land was or is council owned and is identified within the local plan as green infrastructure. In relation to policy 40 - Integrating Green Infrastructure with New Development, the proposed build does nothing really to meet the criteria and fails to adhere to one of the core policies - Policy 9 Development and the Environment, where all that is put forward in this objection is relevant.

I hope this carries some weight towards even considering the objection towards this application,

Thanks

Objection Craig Hill, 67 Radford Street, Darwen, Rec – 05/03/2019

Dear Sir/Madam,

I am writing to inform you that my family and I have strong objections to the proposed planning application **10/19/0113**.

The application if successful will have a very negative effect on our health, the local environment and its wildlife as well as the further erosion of natural and safe environments for children to play.

With increased cars and traffic there will be an elevated build-up of CO2 emissions and with the destruction of all the local trees there will be decreased filtration and purity of the air we breathe.

Darwen has long been a rural area with dispersed housing, interwoven with natural woodland. This is what makes it suit a beautiful, peaceful and natural place to live. I fully accept and understand the need for growth and expansion but with so much land available surrounding Darwen I fail to understand why it is deemed necessary or acceptable to destroy what little local wildlife and natural greenery remaining between areas of housing. Further condensed urbanisation and degradation of intermittent woodland is going against the UK's target to reduce emissions and increase health. If anything, woodland should be being developed further between urban areas.

The local woodland that is set to be destroyed is also home to a myriad wildlife include a nesting family of owls. From my front door I have also seen bats, badgers and an uncountable variety of birds including peregrine falcons.

Please, before pushing through this application to meet home building criteria, have serious consideration for the health of our town, its wildlife and the environment and consider the vision of Darwen in the future and how condensed building should become.

Kind regards
Craig Hill

Objection John and Renee Whittingham, 28 Radford Street, Darwen, Rec – 05/03/2019

With reference to the above planning application, there are a number of reasons why it should not be granted.

1. The site is not really suited to development for housing due to the nature of the terrain. The slope is so steep that any houses built could not possibly have user friendly outside space.
2. Radford Street (one of the steepest in Darwen) has already become a through route to other streets in the locality, to a dangerous level.
3. The site goes across the top of Radford Street, meaning much of the access will be via the top section of Radford Street (the steepest section), which in wintery weather becomes extremely dangerous, with vehicles either failing to get to the top, and therefore skidding back down into the lower crossroads, or having made it to the top, literally skate back down, often out of control.

We live on that upper section, and see the frightening and dangerous events daily in bad weather. To intentionally add to the amount of traffic using that section would be a dereliction of duty on the part of the Planning Committee.

Yours faithfully

John and Renee Whittingham
28 Radford Street

Objection Dr C J Tonge, 7 Limes Avenue, Darwen, Rec – 06/03/2019

I should like to object to the proposed application for the building of houses on this wooded area. It will result in loss of habitat for wild-life and a play area for children. The number of birds in this area has already declined significantly in the past 10 years.

I am also concerned about any further increase in traffic on the Radford Street/Chapel Street/Almond Street route. Driving along this route has become increasingly difficult in recent years. Additional traffic would also increase the danger to the children who play in the area.

I should be grateful if you would take these comments into account whilst considering the application.

Objection Robert Pickup, 75 Limes Avenue, Darwen, Rec – 06/03/2019

Good afternoon,

I correspond to pass the following comments on the above application,

1 ———Today wed 6 th March 3.30/ 4.00 pm. BWD BC public document website will only allow site location plan and application form to be downloaded , this thus greatly restricts my ability to comment fully, I request you send Email attachments Asap

2————The site was designated as green infrastructure around 20 years ago following representation by the local community, it provides a valuable green space in a well developed urban area.

3————The site was provided with an area TPO at the same time following representation by the local community

4————The site provides for informal green recreation space and is well used by local children.

5————The site would be expected under Ppg's need an environmental impact assessment by before any decisive deliberations.

6————The site should need extensive excavations possibly affecting upper Limes Ave built up land stability re the proximity to one of the Darwen valley very significant geological fault systems, with a down throw of around 300 mts in close proximity.

I lived in the area up to 15 years ago for decades and was responsible on behalf of Blackburn Naturalists /LWT / Darren civic society for the community involvement leading to its current legal and council status.

I am copying in Sue Riley of Blackburn Naturalists Field Club / LWT for information, just in case they have both dropped off your consultation protocol.

I look forward to commenting in further detail once your website is fully operational and or after the Irving an email with attachments.

Objection Susan A Whalley & John R Banks, 49 Limes Avenue, Darwen, Rec – 07/03/2019

Dear Mr Blackledge,

We are writing to object in the strongest terms about the recent Planning Application (10/19/0113) to build ten semi-detached houses on Fountain Street, BB3 2NL.

First of all we have concerns about any development in which over an acre of deep, well-drained soil where almost seventy trees grow is to be replaced by a largely impermeable surface. The Planning Application fails to consider the risks of increased surface runoff including flooding lower in the drainage basin. There are sound reasons to conserve all of the smaller areas of woodland within the town in order to reduce the flood risk to all residents.

It has been noted elsewhere that this woodland has a disproportionately high value to this area of Darwen. The trees provide a green backdrop to the view from hundreds of houses in the southern part of the town including those across the valley. The extent to which they increase the value of houses thereabouts is difficult to quantify but undoubtedly significant. The woodland also provides a safe amenity where local children can play close to their homes. If the new houses are built those children will be forced to play on streets with increasing amounts of traffic.

We note that within this 1.2 acre site there are 68 sizeable trees and that 24 of these are ash, a species presently threatened by Chalara dieback disease and the emerald ash borer beetle. Healthy specimens should be conserved so that the diversity of the species allows a resistance to evolve against dieback and the ash borer beetle. The proposed development retains just 23 trees only four of which are ash. Although there is an intention to plant ten new trees in a corridor west of the new houses these will obviously be very small for many years and the attractiveness of the area will be greatly diminished.

Furthermore, this area is inhabited by various species of bat. Pipistrelles are certainly present and there may also be the less common Brown long-eared and Noctule species. All three species may roost in trees and feed on insects found on tree and shrub foliage. They are all protected in the UK under the Wildlife and Countryside Act 1981. It should be noted that bats are emerging from hibernation now at the time of the Planning Application. In the coming months, during the summer, females will form maternity colonies in trees like those found including ash. In addition to bat habitation the trees support a diverse and beautiful butterfly population including Brimstones, Clouded yellows, Commas and Common blues. Bird species observed include jays, short-eared owls, peregrine falcons and sparrowhawks. It is likely that all will be lost if the development does ahead.

When we spoke to Councillor David Smith about three years ago he stated that the owner of the Fountain Street site was unknown. It now seems that the owner of the land has been identified. I cannot close my letter without reminding the Council that the nearby McInerney Homes/Belgrave Heights site has remained undeveloped for almost ten years. The local press has reported that this is because the ownership of the land was disputed after McInerney went into administration. We strongly feel that it would be sensible and desirable to facilitate the completion of Belgrave Heights rather than to consent to the application for Fountain Street.

With trust that good sense will prevail.

Objection Abbigail Burch, 28 Cobden Street, Darwen, Rec – 07/03/2019

Hello,

My name is Abbigail Burch, i am the home owner of 28 Cobden Street, Darwen, Lancashire, BB3 2NY.

I moved to my property in August 2018. In the last week i have received a letter through the door stating that there has been a planning application for 10 semi detached houses across the top of my street.

This cannot happen. This news has devastated our family, had we known about this we would not have moved to Cobden Street. We moved here as it was easy access to St Josephs Primary School and to my parents house, directly up the steps at the top of Cobden street onto 45 Limes avenue.

There are multiple reasons why we object to this planning permission and hope that their request is denied.

Along with the above mentioned, there will be;

- An increase in traffic in the area, which will change the neighborhood completely.

Currently it is a safe grassy area for children to play with no through traffic in which all residents around our area are happy with. If you add a road across with more houses there will be speeding, traffic and parking problems, being so close to school and to a grassy playing area for the children this would be highly unsafe and would attract more problems to the area.

- Cutting down our woodland.

This is a serious issue for me and the other residents as these trees; Help clear pollution, bring value to our homes as this is one of the most loved areas of Darwen (Because of all of the wooded areas) This woodland also provides homes for wildlife, it is beyond unthinkable to take that away. This woodland is enjoyed by so many. It's a frequent walk through area and it brings Joy to those in the area. Darwen is increasingly turning into property developments forgetting about the need for Green. We need to make Darwen a healthier, greener place to live.

Planning applications for the development on Fountain street must be denied, Please do not take away from one of the only remaining beautiful areas of Darwen, Bold venture along with the surrounding streets are known for being areas with woodland.

- The steps in that area both at the top of Cobden street and Radford Street are essential in my daily life.

EVERYDAY. The removal of this wooded area and steps would effect our lives massively.

I Object to planning application reference: 10/19/0113 and I really do hope my comments along with the many other residents are taken on board as it is our right to lead a happy healthy life in the homes we chose to buy in YOUR town.

Objection Angela Slater, 25 Cobden Street, Darwen, Rec – 07/03/2019

Ref:- 10/19/0113 – Full planning application – Land at Fountain Street, Darwen, BB3 2NL.

Objections:-

1. This is a small residential area which is already blighted by traffic and parking problems. The planning application states that the ten houses will have driveways and single garages. Will monitoring be in place to ensure that these are used for this purpose? None of the houses on Radford Street and Cobden Street have the luxury of off road parking. None of the houses on the already developed side of Fountain Street that have garages use them for that purpose leading to more on road parking.
 2. The traffic/parking in this area is already horrendous due to the workers from the mill parking on Radford Street and Chapel Street and car drivers using the roads as a short cut to avoid the town centre. The junction of Radford Street/Chapel Street is already a hazard.
 3. None of the surrounding roads to the proposed site will be able to cope with the heavy construction traffic coming and going from the site. The mess caused to the roads by this – mud etc left on the roads while the area is being cleared can cause slipping accidents to pedestrians/car drivers and therefore is a potential health and safety hazard. The roads are steep and narrow and not fit for this purpose or an increase in traffic.
 4. The area provides a number of pedestrian routes to the Limes Avenue estate which allows access to the local primary school. If this is taken away there will be more traffic from parents collecting and dropping off their children at the school. This will lead to more traffic at already congested times on the Limes Avenue estate. This raises serious dangers and safeguarding risks for the children, school and the community in general.
 5. The trees help clear pollution from the air, provide homes for wildlife/bird life (why should the owl be made homeless?) and also provides a place for the children to play. The trees make the area a greener and healthier place to live. To say the area isn't used is rubbish.
 6. The water pressure in the area is not good already – the addition of these ten properties will make it worse.
-

Objection – Claire Yates, Rec 07/03/2019

Dear Sirs

Please take this email as objection to the above planning proposal.

More housing will have a negative impact on the wildlife living there and the loss of a lot of trees which we need to help clear pollution and make Darwen a greener space. In addition to this it is a place where our children play.

Also, the proposed site to build would only be accessible from 2 small streets resulting in increased traffic making this dangerous for our children. _____

Objection L McDonald, 8 Rydal Avenue, Darwen, Rec – 07/03/2019

To who it may concern.

As a resident of the Blodventure area i Strongly object to the above planning application on the following grounds.

- *increased traffic on already congested area
- *loss of trees and wildlife in the area where the planning application has been made.
- *Loss of access via the steps to St Joesphs school to avoid using Limes Ave as traffic is too congested and dangerous for children and pedestrians.
- *Loss of privacy and views for houses located on Limes ave that the houses would back onto decreasing property value.
- *Loss of sunlight and privacy into house that back directly onto proposed sight.
- * Loss of community land and play / social area directly in front of proposed site.

Objection Christine Ahern, Rec – 07/03/2019

Objection to planned development of 10 semi detached houses .

Trees and wildlife affected by this , our home will be affected by the removal of trees which provides security and privacy which will affect the value of our home Not to mention the wildlife that is in abundance around the trees , where will the owl go we get every night??? Hedgehogs , squirrels etc .

Cars from India mill already park lower down than fountain st , more traffic,pollution etc

Objection Christine Ahern, Rec 06/05/2019

Will affect value of house and create more traffic in the area

Where is the owl going to go that we here every night, hedgehogs squirrels etc.

Give wildlife a chance think of them for once .

Objection Susan Riley, 75 Limes Avenue, Darwen, Rec 07/03/2019

I am writing with respect to the planning application for construction of semi-detached houses on the bank of land above Fountain St.

Reference: 10/19/0113

The land is of interest to me as part of the local environment. This development would be problematic for a number of reasons:

1... The area chosen is shown on the BwD plan 2015 as a protected green site and would feature as a Locally Important Site under Protection and Enhancement of Ecological Assets Policy CS 15.

2... There is limited space for trees to grow along the valley side between the river Darwen and the moorland above. These trees were planted at least 20 years ago and constitute a small area of woodland. Trees absorb carbon dioxide and are therefore helpful in deterring Climate Change. Their roots absorb water which will tend to reduce flooding when there is heavy rainfall. This woodland therefore supports adaptation to climate change as mentioned in Quality of Place, Chapter 7, Integrating Green Infrastructure and Ecological Networks.

3... Site Allocations and Development Management Policies Dec.2015 Policy 9 suggests that Development that would result in the further fragmentation of Blackburn with Darwen's ecological network should not be permitted. This area forms a stepping-stone site connecting the river Darwen, Ashton Park and on to the moorland above. It is also part of a corridor running along the valley side from Bold Venture Park towards The Print Shop and on to the Cemetery.

See also Blackburn with Darwen Core Strategy, Jan.2011 regarding General Habitats in accordance with Environmental Strategy set out in Policy CS13

Integrating Green Infrastructure and Ecological Networks, Quality of Place, Policy 40 suggests that public open space should be protected and that as part of an ecological network this green infrastructure should not be compromised.

and that Green Infrastructure enhances the ecological framework and promotes biodiversity.

4... Quality of Place, Policy 40 Also suggests that it is important to create or in this case maintain a good quality of place and of life. Research shows that people's stress levels are reduced when exposed to green areas in urban locations. This area gives a place where children can play in a green environment but still be within easy reach of their families.

5... In order to produce a stable area for building, excavation might be needed, which could cause damage to the ground under and foundations of upper Limes Avenue.

6... Japanese Knotweed (*Fallopia japonica*) grows in an area of this site.

Objection Maxine Morgan, 8 Jepson Street, Darwen, Rec – 07/03/2019

To whom this may concern

I wish to object about the above planning. My reasons are that by building these it would increase the traffic dramatically on both Radford st and Chapel st. These areas are highly congested already with the cars that are parked from Capita as they haven't got sufficient parking facilities. Also the safety factor of more vehicles and big wagons using the road isn't good at all for the local children both at home and attending local schools daily.

Why get rid of the local woodlands to built yet more houses in Darwen? The town seems to like approving plans for more housing regardless of the wildlife that live in these trees. Bats and owls live in them why destroy there habit?

Children don't have many places to enjoy the outdoors these days and this area provides a safe outdoor environment for them. Why take that away from them. Do that and they will have less to do and then that's when they start getting themselves into trouble.

These houses could/will affect the value of everyone's property as who would want to live in an area that had beautiful greener taken away for an eye sore housing development? Is it fair that we have to suffer for a developers greed in building more houses that Darwen doesn't need at all. We have got 3 development of the go at the minute.

We need to make Darwen a healthier environment for everyone and these trees help to clear the pollution from the air. Think about the community and their health and well-being.

It's time to look after the people of Darwen and stop thinking about the money that you will receive from selling the land! Because the money it never spent on this town. Darwen is the forgotten town but you still increase the council tax yearly.

Objection James Hatch, 57 Limes Avenue, Darwen, Rec – 07/03/2019

Dear planning officers,

I am not one that usually complains but feel that I really must protest at the proposed development to the rear of Limes Avenue.

Planning application ref 10/19/0113 on the following grounds,

- 1) The public footpath that will be lost is a long standing one and has been there longer than the 40 years that I have lived on Limes Avenue
- 2) The loss of yet another green space that is used by local children as a play area
- 3) The loss of all those mature trees which harbour a lot of insect and bird life

I did read the details contained within the planning application, in particular the ecological survey and feel I should comment on that.

I had to wonder at what time of the day and at which time of year it was conducted. During the warm period in the year it is alive with bats.

I spend some evenings just sat on my back doorstep watching them yet they report seeing only one. The woodland is also a popular hunting ground for owls which judging by all the sounds emanating from them indicate more than a handful. The berries found on many of the trees are a vital source of food for many birds prior to the lean times of winter. As well as the birds identified in their survey there are large numbers of fieldfares feasting on the autumn berries.

They mentioned several mammals in their survey and yet failed to give a single mention to our largest local mammal - namely the Roe Deer. There can be little doubt that the local deer population frequent such areas whilst pursuing their nocturnal browsing. They are not there all the time but neither are they anywhere else all the time.

I know that it is one of the places that they do visit from time to time as **I have** seen deer in that area myself.

There are very many other reasons why this application should be rejected and guess others will have listed them but my first concern was wildlife

There has been a previous planning application (many years ago) to develop that same plot of land and the then planning committee saw fit to reject it on many of the grounds that myself and others will no doubt have brought up. I hope that the current committee will show the same concern at the potential loss of yet another green space. Wherever you look green spaces are being lost when there are brown field sites that could be developed. I am worried that the time may come that children will be asking what that grass stuff is they read about in text books. I read your notice of the planning application with dismay and pray that nature wins the day.

Objection Janet Glover, 45 Limes Avenue, Darwen, Rec – 07/03/2019

Hello,

My name is Janet Glover and, i am the home owner of 45 Limes Avenue Darwen BB3 2SG.

In the last week i have received a letter through the door stating that there has been a planning application for 10 semi detached houses across fountain Street.

This cannot happen. This news has devastated our family, had we known about this we would not have moved to Limes Avenue.

There are multiple reasons why we object to this planning permission and hope that their request is denied.

Along with the above mentioned, there will be;

- An increase in traffic in the area, which will change the neighborhood completely. Currently it is a safe grassy area for children to play with no through traffic in which all residents around our area are happy with. If you add a road across with more houses there will be speeding, traffic and parking problems, being so close to school and to a grassy playing area for the children this would be highly unsafe and would attract more problems to the area.

-Cutting down our woodland.

This is a serious issue for me and the other residents as these trees; Help clear pollution, bring value to our homes as this is one of the most loved areas of Darwen (Because of all of the wooded areas) This woodland also provides homes for wildlife, it is beyond unthinkable to take that away. This woodland is enjoyed by so many. It's a frequent walk through area and it brings Joy to those in the area. Darwen is increasingly turning into property developments forgetting about the need for Green. We need to make Darwen a healthier, greener place to live.

You are also blocking light and obstructing view of lots of Limes avenue residents who you can appreciate paid a lot of money to buy houses up here.

Planning applications for the development on Fountain street must be denied, Please do not take away from one of the only remaining beautiful areas of Darwen, Bold venture along with the surrounding streets are known for being areas with woodland.

The steps in that area both at the top of Cobden street and Radford Street are essential in my daily life.

These cannot be removed! These are steps we use daily, and one of our main purposes for buying a property here! We plan to use St Josephs and would walk up them steps every morning and afternoon to take our granddaughter to school in September! Along side this, I am extremely close to my daughter and dad who live at 28 cobden street(Also writing to you to object) and we use these steps without fail EVERYDAY. The removal of this wooded area and steps would effect our lives massively.

I Object to planning application reference: 10/19/0113 and I really do hope my comments along with the many other residents are taken on board as it is our right to lead a happy healthy life in the homes we chose to buy in YOUR town.

Objection Eric Glover, 45 Limes Avenue, Darwen, Rec – 07/03/2019

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I Object to planning application reference: 10/19/0113 and I really do hope my comments along with the many other residents are taken on board as it is our right to lead a happy healthy life in the homes we chose to buy in YOUR town.

I would like to register my objection to the building of houses at the top of Radford st / behind Limes Ave.

Not only will this increase traffic on a street (Radford) that already has issues due to the lack of parking spaces due to Capita staff parking on the street it will now have more traffic due to this build.

I was born in Radford st and spend many an hour playing in the wooded area at the top of the street, checking out the nature ie: owls, birds, rabbits, etc

Regarding land at Fountain Street, Darwen, BB3 2NL

In reply to the letter dated 25th February 2019, I wish to object to this planning proposal. My concerns are as follows:-

1) I believe that the top of Radford Street, where I live, was originally cleared of dwellings many years ago. This was to open up the area and provide a landscaped area and a breathing space for residents. This planning application is a retrograde step in robbing current residents of a modest green space and is in direct contrast to the enlightened approach of that bygone Council.

2) This area around Radford Street, and adjoining streets, is heavily congested all day long with parked vehicles, I believe, of the India Mill workforce plus residents. 10 dwellings means at least another 10-15 cars which would exacerbate this problem.

3) The last time this area was threatened in such a manner, the standing MP at the time (Sir David Trippier?), indicated that there was a tree preservation order on this area between Fountain Street and Limes Avenue. How such a variety of trees can be so willfully removed, along with the resident wildlife, is beyond me. I hear owls using that wooded area at night. Though I suspect that the powers guiding this application through couldn't give a 'hoot' about this particular environment.

4) There must be suitable brownfield sites in Darwen that would benefit from this kind of development. I would also like to add my observation that, in my capacity of canvasser for the electoral register in the Whitehall area, there are many empty properties. Some of these appear to have been empty for years. These, with a little effort, would provide considerable homes.

Thank you for your consideration.

Objection Alex Newton, Rec 07/03/2019

I live close to the area relating to the above application which I understand is under consideration.

I should be grateful if you would note my objection to the application to develop this site which I understand will (inevitably) involve cutting down trees and turning what is essentially a piece of woodland into a small housing development.

1. There has already been a significant loss of woodland in the area at the top of Belgrave Road which has had a detrimental impact upon the wildlife that used it. I am aware that the council was slow to recognise what the potential developer was doing on that large plot and rather belatedly sought to protect the 80 or so trees that were felled the outcome of which was no substitute for preventing the loss in the first place. I would therefore hope therefore that in considering the above application the town planning department will give very active consideration to the impact that it is likely to have upon the green infrastructure.
2. Besides the impact upon the wildlife that is likely to use the woodland and the detrimental visual impact that would arise if the woodland is cleared, I am concerned about the impact upon drainage/flooding. Increased surface water (which would arise if the area is built-upon, is only likely to increase the risk of flash flooding that is occurring more and more and is increasingly evidence in the streets/drains in the Bold Venture, Belgrave area.
3. I appreciate that the council will be keen to encourage the building of new homes but hopefully not to the detriment to those that are already in existence.

Please would you confirm that you will be taking these factors into account as I am sure I am not the only person expressing concerns of this nature.

Objection Rachael, Rec – 07/03/2019

I want to object to the planning application that has been submitted to build 10 houses that runs from Cobden Street to Radford Street at the rear of Limes Avenue.

I'm objecting because there will be an increase in traffic using the steep hills and narrow streets leading to the main road.

Most of the woodland area will be cut down to build houses on the steep bank where the trees are growing and animals I living.

This woodland area helps with the carbon footprint also provides homes for wildlife, Enhances the value of my home also our young infants play in this area.

Also building 10 homes will increase the traffic flow on our 2 narrow streets where it is already busy and recently there was a fire and the fire engines struggled getting up the streets around our area.

Objection Natalie Bannister, 26 Jepson Street, Darwen, Rec 07/03/2019

I strongly object to the woodland on Fountain Street being destroyed to build houses my reasons for this are:

Wildlife live in the trees including owls will have their habitat taken away bats have also been seen flying around this area on a summer evening
There will be increased traffic on the already busy steep narrow streets
There is enough "brown Land" in Darwen instead of getting rid of the Greenland
The children will have their play areas removed as parents are trying to encourage children to have fresh air and be healthier instead of playing computer games .
I want Darwen to be greener and healthy place to live in, especially for the children.
The site on Belgrave Road has never been finished, it's an eyesore can this land not be put to use instead of it being an eyesore

I hope you take the feelings of the people in this area when you consider your decision

Objection Mr Naylor, Rec – 08/03/2019

Dear sir. I'm lead to believe that a planning application has been made to build 10 new houses on wooded area at the back of cobden Street in Darwen. May I object to this planning please. Apart from distroying the wild life in the area it going to bring more traffic to our once quiet roads around here to. Those trees help keep the air that we breath clear. There's enough houses up here we don't need anymore. Thanks in advance

Objection Daniela Romano & Family, Rec 08/03/2019

Dear All,

I, on behalf of all my family at 51 Limes Avenue, STRONGLY OBJECT to the proposed build.

This is a conservation area that will be put strongly under further pollution for numerous reasons should the build go ahead.

We are completely against it and even the possibility of a branch on a single being cut is out of the question.

Sincerely,

Objection Luke Slomka, 16 Cobden Street, Darwen, Rec – 11/03/2019

Hi local council officials

I live at 16 Cobden street Darwen and am told there is a proposal to build houses on the wooded area that runs from the top of Cobden street to Radford street at the rear of Limes Avenue. I want to have my name added to any others that oppose this planning application. I value the green spaces and the wildlife they bring, if they have to be destroyed for this development then it should not go ahead in my opinion.

If there are any meetings going ahead about this is there any chance I could be informed or could you provide direction so I can find the information online please?

Thanks for any help and feedback you might be able to give

Objection Rachel Demaine, Rec – 13/03/2019

FAO Nick Blackledge

Dear Mr Blackledge,

I'm writing to express my objection to the above planning application (Land off Fountain Street, Darwen).

The construction will require the felling of a substantial number of mature trees and destruction of natural habitat.

The Bold Venture area is known and valued for its green spaces and this development will erode this green space.

There is an unfinished development only a short distance from this proposed site (off Belgrave Road). The emphasis should be to find a solution to this issue rather than grant permission for a new development and the associated green space and habitat loss.

I hope these issues are taken into consideration during the decision making process.

Objection, Angela Slater, 25 Cobden Street, Darwen, Rec – 30/03/2019

Good morning

Following receipt of your letter dated 29th March my objections remain the same as previously emailed to you. A shortened version:-

1. This is a very small residential area and not adequate for the size of development.
2. The parking/traffic is horrendous already. Where will the construction workers park ?
3. The proposed development site is a hub of the immediate local community offering a play area for the local children to be safe in who through no fault of their own do not have the luxury of gardens to play in.
4. The surrounding roads – Radford Street, Chapel Street Cobden Street, the rear of Cobden Street and Jepson Street are not adequate to cope with the construction traffic.
5. The water pressure in the area is not good so start with.

Objection James Hatch, 57 Limes Avenue, Darwen, Rec – 30/03/2019

Dear sir/madam

I have today received a communication from you with regard to the planning application 10/19/0133 (Fountain Street Darwen)

I still object on all the grounds in my previous protest sent to you which I will repeat below based on the ecological damage to trees and wildlife.

The survey undertaken by the petitioners agents really was a joke. Just to reiterate two reasons. The survey would have been done during the day so I am not surprised they only saw one bat. Do they not know that bats are nocturnal? Wildlife exists during the night as well as during the day and the area is alive with bats in the evening and night. I myself spend regular evenings in summer sat watching their antics as they feed on the prolific insect life which is due to trees on the area. I myself have a bat box on the back of my house which has been there for years. I would certainly not have put that there if there was no local bat activity.

Owls - well I guess they probably would not see many of those during the day either but in the summer those trees are well used by owls

Roe deer - guess they did not see any of those either but they do come down off the moors and browse from time to time in that bit of woodland.

The path that passes diagonally across that land is claimed not to be adopted but it has been in existence longer than I have lived on Limes Avenue and that is 40 years in September and it has lights on it placed there by the council. I understand that parcel of land is not part of the percentage of green belt allocated by Blackburn with Darwen Council as free to be developed and I would urge the planning committee to reject these plans and keep this area a wildlife haven in perpetuity.

I hope that previous protests by neighbours will not be discounted because of changes to the application. But just in case the text of what I sent the first time..

I had to wonder at what time of the day and at which time of year it was conducted. During the warm period in the year it is alive with bats.

I spend some evenings just sat on my back doorstep watching them yet they report seeing only one. The woodland is also a popular hunting ground for owls which judging by all the sounds emanating from them indicate more than a handful. The berries found on many of the trees are a vital source of food for many birds prior to the lean times of winter. As well as the birds identified in their survey there are large numbers of fieldfares feasting on the autumn berries.

They mentioned several mammals in their survey and yet failed to give a single mention to our largest local mammal - namely the Roe Deer. There can be little doubt that the local deer population frequent such areas whilst pursuing their nocturnal browsing. They are not there all the time but neither are they anywhere else all the time.

*I know that it is one of the places that they do visit from time to time as I **have** seen deer in that area myself.*

There are very many other reasons why this application should be rejected and guess others will have listed them but my first concern was wildlife

There has been a previous planning application (many years ago) to develop that same plot of land and the then planning committee saw fit to reject it on many of the grounds that myself and others will no doubt have brought up. I hope that the current committee will show the same concern at the potential loss of yet another green space. Wherever you look green spaces are being lost when there are brown field sites that could be developed. I am worried that the time may come that children will be asking what that grass stuff is they read about in text books. I read your notice of the planning application with dismay and pray that nature wins the day.

Comment – Debbie & Bernard Lloyd, 53 Limes Avenue, Darwen, Rec – 04/03/2019

Been looking at the planning information. For a few years we have been trying to contact the owner of the land with regard to Japanese knotweed. This is growing on the land behind our garden and has encroached into our garden. We have no objection to the houses on condition that the knotweed is removed from our property.

Comment – Susan Whalley & John Banks, 49 Limes Avenue, Darwen, Rec – 26/04/2019

Dear Sir/Madam,

The photographs in the Amendment clearly show that the height of the existing mature tree canopy forms a significant natural backdrop to the locality around Fountain Street. We appreciate that there is a genuine attempt to maintain the appearance of this area of trees if the housing is built but still harbour serious concerns. This is because the trees already present are large and mature. It would be many years before new saplings would attain the grandeur of the existing trees... perhaps thirty years or more. We feel it is important that this development includes the planting of large, semi-mature trees to replace those being removed.

Comment – Angela Slater, 25 Cobden Street, Darwen, Rec – 26/04/2019

Good afternoon

Following on from your letter dated 23rd April 2019 please see below:-

6. **Existing use** – the land is a hub of the local community and is important to the area. The children play there – who through no fault of their own do not have the luxury of gardens to play in. The annual bonfire is held there and other community activities. The land/trees enhance the area. Approximately five years ago the land was classed as conservation. What has changed ?

9. **Vehicle parking** – this is a very small residential area that already struggles to cope with the traffic/parking as it is. Whilst 20 spaces are proposed - the plans show a driveway and a single garage for each house – how many will be used for that purpose which will then lead to more on road parking. The residents of Cobden Street, Jepson Street and Radford Street do not have drives or garages and the development will take away very much needed on road parking. These same streets and including the back of Cobden Street are not suitable for construction vehicles to and from the site.

18. **Employment** – the application states that no staff will be employed. Will the developer be doing all the work on his own ? Again with the parking issues already mentioned where will the developer park and any staff should the developer decide he needs some once work has started ?

22. **Site visit** – I would expect somebody from the planning authority to go at the site due to the very big effect this will have on the local residents.

With regards to the land being unregistered was the notice in the Lancashire Telegraph adequate ? Fewer and fewer people read newspapers these days.

Regards

Comment - Angela Slater, 25 Cobden Street, Darwen, Rec – 03/05/2019

Good morning

Following on from my email below I would also like to add the following:-

Access/parking provision/effect of the development in the area.

The writer of the report obviously has no in depth knowledge of the area and the problems with parking and access, to say there are clear views and access from Radford Street onto Bolton Road is wrong.

Having yet again struggled to turn off Bolton Road onto Radford Street yesterday due to the amount of cars waiting to get onto Bolton Road due to the amount of passing traffic. This is a very regular occurrence. The junction is a nightmare as at times is the junction at Radford Street/Chapel Street.

During the working week there is rarely a clear view from Radford Street if you are turning right onto Bolton Road due to the amount of cars parked on Bolton Road and also to the left of Radford Street. This can also be the case at weekends.

The writer of the report cannot simply guess how the occupants of the proposed houses will get to them. Just because the most direct route is Bolton Road onto Radford Street doesn't mean to say that 's the route which they will take.

The area also has takeaways on Bolton Road at the bottom of Radford Street which also can cause traffic congestion.
