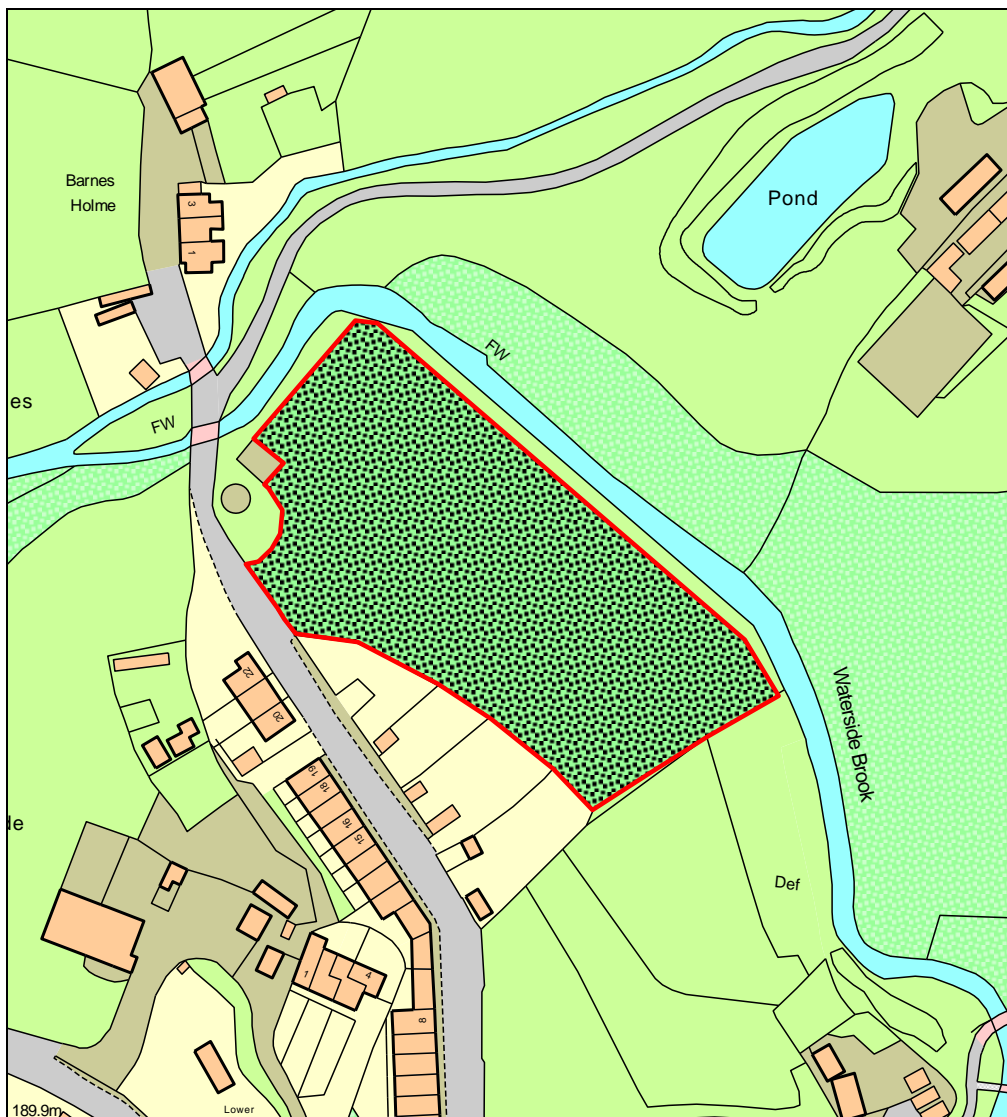


Proposed development: Full Planning Application for; residential redevelopment of 10 No. detached dwellings including access and associated landscaping.

**Site address:
Vacant Land off Victoria Buildings
Waterside
Darwen**

Applicant: Mr A Shorrocks

**Ward: West Pennine
Councillor: Julie Slater
Councillor: Colin Rigby
Councillor: Jean Rigby**



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – Subject to conditions; as set out in paragraph 4.1.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 The application is presented to Committee on account of a significant number of objections having been received in accordance with the Council's adopted Scheme of Delegation "Chair Referral Scheme."
- 2.2 The planning application is submitted in full application form and follows pre-application discussions between the applicant and the Development Management team. Support, in principle, was offered, at pre-application stage, although concern was expressed as to the number of dwellings proposed and advice provided to the effect that robust justification should be offered at application stage to support the number of dwellings. Such justification is offered on the basis that a reduction in the number of dwellings would make the development no longer viable and that redevelopment of the site would have wider economic, social and environmental benefits.
- 2.3 Assessment of the application establishes that the proposal is, on balance, consistent with the Borough's strategic aims and objectives; in that it corresponds with the Council's overarching targeted growth strategy, through delivery of high quality family housing across the site which will assist in widening the choice on offer for families in the Borough, and which will have significant benefits in achieving a development solution for a site that has proved problematic due to its unsightly appearance undermining the character of the area and from anti-social behaviour perspective. Accordingly, the development will offer a sustainable and desirable place to live with benefits to the existing community. This is in accordance with the aims and objectives of the Local Development Plan and national planning policy. The proposal is also satisfactory from a technical point of view, with all issues having been addressed through the application, or capable of being controlled or mitigated through planning conditions.

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1 The application site comprises 5,890 square metres vacant land, and is located off Victoria Buildings; within the village of Waterside. Darwen Town Centre is located 1.5km to the west.
- 3.1.2 The site last accommodated a poultry business which included three substantial sized utilitarian, agricultural buildings. The buildings were cleared last year following extensive storm damage; in accordance with the provisions of Section 80 of the Building Act 1984 (Notice of Demolition). The site now comprises a cleared space, including remnants of the former buildings and

hardstanding alongside grassed areas. Land levels across the site are relatively consistent.

- 3.1.3 The site is located at the head of Victoria Buildings, which leads off the main road running through Waterside (Johnson Road). There are blocks of stone terraced housing to the western side of Victoria Buildings and detached garages to the eastern side of the road. The site itself lies within a 'bowl' at the bottom of the valley and is at a lower level to the rest of the built development within Waterside. It is bounded by a belt of trees and Waterside Brook beyond to eastern and northern boundaries, a field to the southern and detached garages, Victoria Buildings and terraced properties to the western boundary.
- 3.1.4 The village of Waterside is characterised by high density residential terraced properties, laid out in a linear arrangement, and a substantial complex of industrial buildings occupied by Shaws of England, located approximately 170m to the south west of the application site and accessed from the western side of Johnson Road. Shaw's have manufactured sinks from the site for over 100 years, employing a significant number of people. The housing stock within the village reflects the historic development of the mill complex and comprises largely two-bedroom terraced housing with very few family sized properties.
- 3.1.5 The site is currently enclosed by security fencing. It is accessed via an established access point of Victoria Buildings that has evidently been used for many years. The length of Victoria Buildings, from its junction with Johnson Road up to the access into the site, is unadopted and in a state of disrepair. It is also is a defined bridleway; in accordance with the Council definitive Public Rights of Way map.

3.2 Proposed Development

- 3.2.1 Full planning permission is sought for the erection of 10 detached dwellings, access, internal highway infrastructure and associated landscaping; as set out in the submitted drawings.
- 3.2.2 The proposal presents an arrangement of two storey dwellings around a cul-de-sac setting. Houses are large 4 bedroomed, set in proportionate plot sizes. Four different house types are proposed; as follows:

Plot 1

4No. bedrooms with detached double garage

Gross Footprint (dwelling) = 115.40m²

Gross Footprint (garage) = 43.92m²

Internal floor area (dwelling) = 251.13m²

Internal floor area (garage) = 36.33m²

Plot 2

4No. bedrooms with detached double garage

Gross Footprint (dwelling) = 94.43m²

Gross Footprint (garage) = 43.92m²

Internal floor area (dwelling) = 197.29m²

Internal floor area (garage) = 36.33m²

Plot 3

4No. bedrooms with detached single garage

Gross Footprint (dwelling) = 115.40m²

Gross Footprint (garage) = 23.79m²

Internal floor area (dwelling) = 251.13m²

Internal floor area (garage) = 18.04m²

Plot 4

4No. bedrooms with detached double garage

Gross Footprint (dwelling) = 94.43m²

Gross Footprint (garage) = 43.92m²

Internal floor area (dwelling) = 197.29m²

Internal floor area (garage) = 36.33m²

Plot 5

4No. bedrooms with integral double garage

Gross Footprint (dwelling and garage) = 149.66m²

Internal floor area (dwelling) = 238.70m²

Internal floor area (garage) = 37.23m²

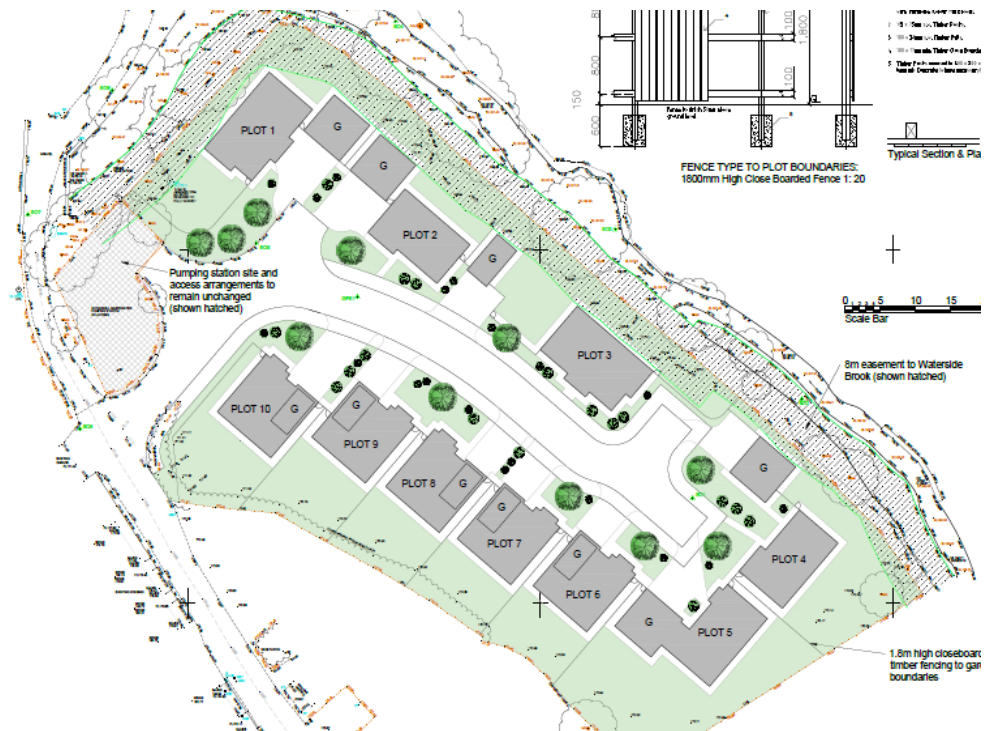
Plots 6 - 10

4No. bedrooms with integral single garage

Gross Footprint (dwelling and garage) = 106.79m²

Internal floor area (dwelling) = 201.98m²

Internal floor area (garage) = 18.39m²



Extract from submitted site plan

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

3.3.3 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

3.3.4 Local Plan Part 2 (LLP2)

- Policy 1 – The Urban Boundary
- Policy 5 – Countryside Areas
- 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 16 – Housing land Allocations
- Policy 18 – Housing Mix
- Policy 39 – Heritage
- Policy 40 – Integrating Green Infrastructure and Ecological Networks with New Development

3.4 Other Material Planning Considerations

3.4.1 Residential Design Guide Supplementary Planning Document (2015)

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

Overall, The Framework aims to raise economic performance by ensuring the quantity, quality and mix of housing reflect that required, with an expectation to maintain a 5-year housing land supply. Quality design should be secured and environmental impacts minimised.

Paragraph 8 states that achieving sustainable development has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

“an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”.

Areas of The Framework especially relevant to the proposal are as follows:

- Section 5: Delivering a sufficient supply of homes
- Section 6: Building a strong, competitive economy
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment.

3.4.3 Housing and Economic Need Assessment 2018: Blackburn with Darwen and Hyndburn Councils (GL Hearn).

3.4.4 Blackburn With Darwen 5-year Housing Land Supply Statement (2019).

The Council published a housing land supply statement in June 2019. On the basis of the ‘standard methodology’, which equates to 157 dwellings per annum, the Council considers that it can demonstrate a supply of 1,857 residential units between the years 2019 and 2024 and this equates to a 9.9 year housing land supply.

3.4.5 Blackburn With Darwen Corporate Plan 2019 – 2023.

3.5 Assessment

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

- Principle of residential development
- Amenity

- Environment
- Highways
- Design

3.5.2 Principle

The site lies within open countryside; as defined by the Development Plan's Site Allocations Map. LPP2, Policy 5 guides the principle of development within countryside areas. It sets out that planning permission will only be granted for development needed for the purposes of agriculture or forestry, or economic uses appropriate in nature and scale to the rural area. As a residential development, the proposal is acknowledged as inconsistent with this policy.

- 3.5.3 Moreover, it is mutually accepted that the last use of the site was as a poultry farm. As a preceding agricultural use, it should be recognised that the site cannot be considered as *Previously Developed Land* (brownfield), by virtue of The Framework's definition of such:

Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

- 3.5.4 Consequently, the principle of the development is considered in the context of other material considerations, including environmental benefits arising as a consequence of eradicating visual harm caused by the current neglected appearance of the site, improvements to the surface of Victoria Buildings, and the social and economic benefits arising from delivery of quality family housing.

- 3.5.5 Weighted in favour of the development is the notion that the site is considered to represent a potential 'windfall' opportunity, able to make a valuable contribution towards the Council's housing delivery targets and growth objectives. It is acknowledged that the proposal is consistent with the Council's economic growth objectives, centred on delivery of housing; notwithstanding the current demonstrable five year housing supply position. The adopted Core Strategy (Policy CS7) sets out the objective of boosting family sized accommodation in order to attract and retain a working age and skilled population. Policy 18 of LPP2 sets out that semi-detached and detached houses are to be the principal element of the dwelling mix on any site that is capable of accommodating such housing and where such housing would make a positive contribution to the character of the local area; as is the case with the proposal, in that it will have the tangible benefit of alleviating the sites current detrimental impact. Significant benefits will also arise for

Waterside as a rural community, in terms of widening the housing mix on offer which is currently limited to high density two-bedroom terraced properties. The addition of family sized homes would help support larger households and provide a relocation option for the existing community; thereby promoting the sustainability of the village.

- 3.5.6 Although not a brownfield site, as defined by the Framework above, it is accepted that the site has historically hosted various buildings. Prior to the aforementioned poultry farm, a cotton weaving mill operated from the site. The mill was demolished in the 1930's. The current remnants of structures, foundations and hardstanding evidence the historic developed use of the land. Redevelopment would not, therefore, appear as an unfamiliar visual intrusion. Instead, it is argued that the proposal offers the opportunity for a long term sustainable use of the site that reduces the threat of prolonged adverse visual amenity to the area.
- 3.5.7 Given its location and condition, the site enjoys a close functional and visual relationship with the village of Waterside. The scheme represents a logical infill opportunity rather than an incursion into the open countryside. The proposed design concept strikes the optimal balance between ensuring the efficient and effective use of the site for much-needed housing development whilst securing a high quality scheme that would serve to enhance the character and appearance of the area. Accordingly, redevelopment of the site for housing is potentially considered a logical and optimum solution; subject to compliance with wider Development Plan policy objectives.
- 3.5.8 Adding further weight in support of the principle of proposal is the applicants stated intention to upgrade the surface and drainage of the entire length of Victoria Buildings, together with improvements to the Johnson Road junction. The road is unadopted and its current uneven state demands attention. Renewed surface treatment and junction improvements will not only benefit users of the development but also the wider community. Further discussion in this regard is found in the Highways assessment at paragraph 3.5.34
- 3.5.9 Accordingly, the proposal is considered, on balance, to be compliant with the Development Plan and The Framework when read as a whole.
- 3.5.10 Design, Character & 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.
- 3.5.11 Policy 41 concerns itself with impact on landscape character of an area. It directs that development will be permitted provided there is no unacceptable impact on landscape character or the principal traits associated with it.
- 3.5.12 With reference to the setting of the site; it is positioned at the bottom of a valley, at a lower level than existing development within the village of Waterside. It is not a green field site but an engineered plateau that formally

accommodated a range of buildings. Moreover, public views inwards are very limited. In this sense, the site is not representative of a typical countryside setting. It cannot be seen from Johnson Road to the south west, by virtue of terraced housing along Victoria Buildings, the sites sunken position and surrounding vegetation. Views from the elevated position to the north east are largely concealed by mature trees that are adjacent to the sites north east boundary. Such limited public views and the sites previously developed characteristics, allay any concern that the proposal would have an unacceptable impact on landscape character or on the West Pennine Moors setting.

3.5.13 Design of the development is constrained by the periphery of the site, which is bounded to the north-west and north-east by a belt of trees and a watercourse, to the south west by informal allotments, positioned on rising ground, and to the south east by green fields. The linear arrangement of dwellings around a cul-de-sac, and within proportionate plot sizes, responds to the site constraints and the point of access from Victoria Buildings. Frontages will face the access road, offering natural surveillance.

3.5.14 Proposed dwellings are large detached family sized homes with garages. Further details with reference to floor areas are set out at the aforementioned 'Proposed Development' section at paragraph 3.2.2. Although significantly larger than the traditional terraced homes common to the village of Waterside, they are not considered to appear out of context, given the concealed position of the site and their two storey height which reflects the built form of existing properties within the village. Proposed external materials reinforce local vernacular in the form of natural stone elevations and slate or similar roofs. Material samples will be secured by condition.

3.5.15 Retention of mature trees along the north east and north west perimeter of the site is proposed, together with an 8m easement to Waterside Brook; features that will be incorporated into the wider natural landscape strategy for the site. Their retention will be secured by condition, together with detailed tree and shrub planting, and hard landscaping.

3.5.16 Accordingly, the design of the development and the impact on the wider landscape setting is considered compliant with the objectives of the Development Plan and The Framework.

3.5.17 Amenity

Policy 8 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.

3.5.18 The relationship between proposed dwellings and existing dwellings adjacent to the site along Victoria Buildings is acceptable, on account of generous separation and the sites sunken level in contrast to the elevated position of Victoria Buildings.

3.5.19 Separation between proposed dwellings is broadly in accordance with the Council's adopted standard of 21m between habitable windows and 13.5 between habitable and non-habitable windows. This is with the exception of the interface between plots 7 and 8 and plot 3 opposite which achieves a separation of circa 18.5m. Such relationship is, however, considered acceptable, by reason of the secondary nature of habitable windows to plot 3 and the rooms they serve being 'dual aspect', with alternative windows to the side elevation.

3.5.20 Each of the proposed dwellings will be served by proportionate sized plots, offering sufficient private space to service the needs of householders.

3.5.21 A Coal Mining Risk Assessment has been submitted with the application, on account of the site falling within a defined (coal mining) Development High Risk Area. The Assessment has been reviewed by the Coal Authority who offer no objection to the proposal, subject to a recommended scheme of intrusive site investigations to adequately assess the ground conditions and potential risk to the development by historic shallow coal mining activity, together with proposed remedial works, if necessary. Such works will be secured by condition.

3.5.22 A Preliminary Risk Assessment has been submitted with the application which has been reviewed by the Council's Public Protection consultee. The potential threat of ground contamination from historic land uses is recognised. Accordingly, targeted soil sampling and gas monitoring is recommended to be undertaken. Such works will be secured by condition.

3.5.23 Safeguarding residential amenity during the construction phase of the development is recommended to be secured by a condition requiring submission of Construction Method Statement and a restriction on working hours.

3.5.24 Accordingly, the development is considered compliant with safeguarding amenity objectives of the Development Plan and The Framework.

3.5.25 Environment

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

3.5.26 Drainage

A Flood Risk Assessment (FRA) is submitted on account of part of the site falling with Flood Zone 3. Review of the FRA by the Environment Agency (EA) determined that initial flood risk had been inadequately assessed. Consequently, at the request of the EA, the applicant has submitted a revised FRA, including a detailed hydraulic modelling of potential flood risks emanating from the adjacent Waterside Brook. At the time of writing of this report, the EA has not provided a response. Their response will be included in a subsequent update report.

3.5.27 The Council's drainage consultee and United Utilities offer no objection to the proposal, subject to recommended conditions requiring submission of a surface water drainage scheme and a management / maintenance plan for the lifetime of the drainage system.

3.5.28 Ecology

A Preliminary Ecological Assessment is submitted with the application which has been reviewed by the Council's consultant ecologist. No significant ecological issues were identified in the assessment, including the absence of protected species within the site. A mill pond is, however, identified by the Council's consultant to the north of the site, with reference to potential Great Crested Newt habitat. Further investigation in this regard is recommended. Given the circa 70m distance from the application site, proposed retention of habitat by reason of an undeveloped buffer of a minimum 8m around the north and western boundary of the site, including retention of a mature tree belt, and the sites previously developed status, further investigation is considered appropriately secured by condition. This will be in the form of a scoping exercise of the pond, to establish the likelihood of it supporting Great Crested Newt habitat. Should the potential for such be established, further survey work would need to be carried out during the breeding season (March – June), in order to formally establish the presence or otherwise of newts and appropriate mitigation, if necessary.

3.5.29 It is mutually accepted that the site is absent of roosting bats. A precautionary condition is, however, recommended to ensure appropriately sympathetic street lighting.

3.5.30 Notwithstanding the intention to retain trees within the site, a precautionary condition to limit works to trees outside of the bird nesting season (March to August) is recommended; in the interests of protecting nesting birds.

3.5.31 In view of the identified presence of Himalayan Balsam a condition is recommended to secure an invasive species eradication scheme.

3.5.32 Conditions are also recommended to ensure protection of Waterside Brook from pollution during construction of the development and from foul and surface water post completion of development. The drainage strategy for the site will, however, be required to ensure protection of the water course from foul and surface water pollution from the development in perpetuity.

3.5.33 As aforementioned, a detailed landscape strategy is recommended to be secured by condition, to deliver ecological / biodiversity enhancements across the site.

3.5.34 Trees

An Arboricultural Impact Assessment (AIA) and Tree Constraints Plan are submitted with the application. No trees within the site or around the immediately adjacent are protected by Order. All trees are to be retained and

protected during construction phase; in accordance with the methodology set out in the AIA.

3.5.35 Accordingly, the development is considered compliant with the environmental objectives of the Development Plan and The Framework.

3.5.36 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.

3.5.37 A Transport Statement is submitted with the application. The statement explains the background to the site, with reference to vehicular movements associated with the historic uses. A 10 year accident analysis is also included which shows that, during higher historic flows, the Victoria Buildings and Johnson Road junction has accommodated significantly higher flows from the site with no recorded accidents. Although traffic generation from the development will increase flows currently experienced amid concern around the 10no. dwellings proposed, considered against the historic position, it is not considered that impact on highway safety would be unacceptable or severe on the road network. The assessment is considered in the context of the Framework's direction at paragraph 109, thus:

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

3.5.38 A condition to secure a scheme of works to deliver junction improvements to the Victoria Buildings / Johnson Road junction is recommended. Given the constraints of buildings straddling the junction, it is envisaged that such improvements will take the form of new road markings.

3.5.39 As a proposed private gated street, carriageway and footway details submitted are considered to be acceptable. The design best facilitates the residents whilst maintaining appropriate interface distances between houses Footway provision also facilitates utilities and avoids having to dig up more costly carriageway construction for maintenance.

3.5.40 As aforementioned in this assessment, significant weight is attached to the applicants commitment to surface the length of Victoria Buildings from its junction with Johnson Road down to the access into the site. This work is considered essential in order to cater for traffic generated by the development and as a wider community benefit. Although the applicant is committed to the works, it is accepted that they cannot be delivered to adoptable standard, as the development would be no longer be economically viable. The uplift to the carriageway will, however, be significant and will include a sub-surface and surface treatment, together with drainage enhancements. Surface dressing will account for the bridleway status of Victoria Buildings, thereby ensuring

appropriate provision for horses. Such works will be secured by condition, to be delivered prior to occupation of the development.

3.5.41 Dedicated off street parking for each dwelling is provided; in accordance with the Council's adopted standards.

3.5.42 Accordingly, the development is considered compliant with the highway objectives of the Development Plan and The Framework.

3.5.43 Heritage

Policy 39 requires development with the potential to affect designated or non-designated heritage assets to sustain or enhance the significance of the asset.

3.5.44 Lancashire Archaeology has made representation on the proposal, in recognition of the site being recorded on the Lancashire Historic Environment Record as a non-designated heritage asset, due to the historic presence of a cotton weaving mill. It is considered that the potential for below-ground structural remains of the mill and associated structures exists. Accordingly, a condition is recommended in order to secure a programme of below ground archaeological works.

3.5.45 Financial Contributions

Section 106 contributions for off-site affordable housing and Green Infrastructure are applied to the development, totalling £39,060; broken down as follows:

- Affordable Housing £25,000
- Green Infrastructure £14,060

3.5.46 Summary

This report assesses the full planning application for the residential development of land at Victoria Buildings, Waterside, Darwen. In assessing 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 overall 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:

- **£25,000 per unit towards provision of affordable housing in the borough.**

- **£1406 per unit towards Green Infrastructure in the area (details of where to be spent to be confirmed).**

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) Delegated authority is given to the Director for Growth and Development to approve planning permission, subject to conditions which relate to the following matters:

- Commence within 3 years
- Submission for approval of external walling and roofing materials
- Implementation of approved boundary treatments
- Implementation of Arboricultural Method Statement, including tree protection measures
- Trees to be retained in accordance with approved details
- Submission of a hard landscaping scheme
- Submission of a scoping survey of the mill pond to the north of the site and Great Crested Newt survey / mitigation measures, if necessary
- Submission of an invasive species eradication scheme
- Submission of a soft landscaping scheme, to include ecological / biodiversity enhancement measures
- No tree felling or vegetation clearance between March and August, unless the absence of nesting birds has been established
- Foul and surface water to be drained on separate systems
- Submission of a drainage strategy
- Submission of a drainage maintenance and management strategy
- Submission of technical construction details for surfacing & drainage of Victoria Buildings and improvements to its junction with Johnson Road
- Submission of highway infrastructure engineering details including drainage, street lighting and street construction
- Submission of a Construction & Environmental Management Statement - including avoidance methodology to protect Waterside Brook from pollution.
- Visibility splays not to be obstructed by any building, wall, fence, tree, shrub or other device exceeding 1.0m above crown level of the adjacent highway
- Submission of an intrusive coal mining legacy investigations
- Contaminated land - submission of a comprehensive desk study report
- Contaminated land – submission of validation report demonstrating effective remediation to affected areas
- Unexpected contamination
- 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
- Submission of programme of below ground archaeological work
- Removal of Permitted Development rights
- Development in accordance with submitted details / drawing nos.

5.0 PLANNING HISTORY

5.1 No relevant planning history exists for the site.

6.0 CONSULTATIONS

6.1 Drainage Section

No objection subject to the following condition:

- Submission of maintenance and management strategy
- Submission of a surface water construction phase management plan.

6.2 United Utilities

No objection subject to the following condition:

- Implementation of approved drainage strategy.

-

6.3 Environment Agency

Initial objection offered, due to inadequate Flood Risk Assessment and absence of detailed hydraulic modelling of Waterside Brook. Revised assessment submitted; awaiting formal response from EA.

6.4 Education Section

No response offered.

6.5 Environmental Services

No objection.

6.6 Public Protection

No objection subject to the following conditions:

Noise

- Site working hours to be limited to between 8am-6pm (Monday-Friday) and 8am-1pm on Saturdays. No works on Sundays or Bank Holidays.

Air Quality

- Provision of a dedicated electric vehicle charging point at each dwelling and limitation on boiler emissions

Contaminated Land

- Submission of a Desk Study and approved site investigation work (where necessary).
- Submission of validation to demonstrate effective remediation (where necessary).
- Unexpected contamination.

6.7 Highways Authority

No objection subject to the following conditions:

- Submission of Construction Traffic Management and Environmental Statement
- Submission of technical construction details for re-surfacing, drainage and junction improvements to Victoria Buildings
- No obstruction to visibility splays.

- 6.8 Public Rights of Way
Confirmation that Victoria Buildings is a bridleway and that re-surfacing works should be applied for in advance; in accordance with highways informative.
- 6.9 Ecology
No objection subject to the following:
- Prior to determination, submission of additional detail relating to the mill pond to the north of the site, with reference to potential Great Crested Newt Habitat – to be applied as a condition; as explained at para. 3.5.28.
And recommended conditions:
- Submission of an invasive species eradication scheme
- Submission of a scheme to protect Waterside Brook from pollution during construction
- Submission of a scheme to protect Waterside Brook from foyal and surface water post development
- No tree / shrub clearance during bird nesting season
- 6.10 Strategic Housing
No objection – support offered for good quality affordable homes, in accordance with Council’s growth objectives; subject to Section 106 requirements.
- 6.11 Growth Team
Confirmation of Section 106 requirements.
- 6.12 Lancashire Archaeology
Submission of programme of below ground archaeological work
- 6.13 Lancashire Police
No comment offered.
- 6.14 Lancashire Fire Service
Standard response with reference to Building Regulations, vehicular access and access to water.
- 6.15 Public consultation has taken place, with 65 letters posted to neighbouring addresses; a Press Notice published on the 24th August 2019; and display of site notices on 27th August 2019. In response, 20 objections were received which are shown within the summary below.
- 7.0 CONTACT OFFICER: Nick Blackledge, Senior Planner – Development Management.**
- 8.0 DATE PREPARED: 6th February 2020.**

9.0 SUMMARY OF REPRESENTATIONS

Objection – Steve Will, 2 Victoria Buildings. Rec 06.10.2019

Ref-10/19/0807

To whom it may concern

I live at no2 Victoria buildings and my concerns regarding the development proposed are-

1. The access road (Victoria Buildings) is not suitable for anymore traffic, we maintain the road as a community and what the developers propose to do it put a layer of tarmac over the top. They've stated it won't be up to adoption standard so who will be responsible for the upkeep of the road after a year or two when it's falling apart as we as residents can't afford to tarmac it? The part of the road I own I would not agree to what they propose.
2. I have seen the proposed sight flooded twice in 15 years obviously to many times if your house was there.
3. Access for machinery and materials to the sight, You'll be fine getting down the street but getting out is a problem, I've seen trucks stuck at the top of Victoria buildings as it's very steep and trucks can't get traction.
4. Green belt.
5. Victoria buildings is a bridle path and with a extra 30 cars using the road there will be accidents.

Regards

Steve will

2 Victoria buildings

Objection – Rory Needham Clerk to Eccleshill & Waterside Parish Council. Rec 19.09.2019

FOA Nick Blackledge Ref: Planning Application 10/19/0807

At the last meeting of Eccleshill and Waterside Parish Council there were concerns expressed about the above scheme. The scheme is a Full Planning Application- Residential Development of 10 No-detached dwellings including access and associated landscaping at vacant land off Victoria Buildings Waterside Darwen. Councillors do not object to the building of the houses, but have expressed concern at the access and damage to the road. It has been suggested that following completion of the houses the road would be repaired but not up to the standard which would enable the Council to adopt it. Councillors feel that this is unacceptable and suggest that Section 106 monies should be used to bring the road up to the required standard for adoption by the Council. Residents at Victoria

Building have in the past spent their own money and time on helping to keep the road in a reasonable state of repair and feel that they should not be penalised and have an inferior road as result of this development. There will also be an increased traffic flow as a result of the scheme which could result in an increase of 30 to 40 cars using the road. Can you advise if there has been a traffic impact assessment carried, out or any work done on assessing the impact that this development may have in terms of the environment or wild life?

If the road is not going to be made to the proper standard and adopted in the future then the Parish Council wish to strongly object to the scheme.

I look forward to your reply, and ask you to bring this concern/objection if the road is not adopted to the Planning Committee.

Objection – P Cooper. Unknown Address Rec 15.09.2019

Dear Sir

The application for 10 dwellings on land opposite Victoria buildings is inappropriate as:-

1. The private road is maintained by the residents and has no street lighting and unable to accommodate increased demand
2. The infrastructure is inadequate, broadband is poor, there is no public transport . All of which is detrimental to residents .
3. The site is a know to flood regularly
4. 10 houses is excessive. A proposal for 3 has been rejected previously, but a more realistic figure
5. The exit from Victoria buildings onto Johnson road has poor visibility. Simon Littler in reply to councillor J Rigby in June 2019 stated that there was no money available for road markings on Johnson road . Therefore extra vehicles would exasperate the danger.

Yours sincerely

Objection – Geoff & Dawn Cooper. Unknown Address Rec 14.09.2019

Re: Full Planning Application – Residential Development of 10 No. detached dwelling including access and associated landscaping.

Nick

I write to you to object to the planning application 10/19/0807, my reasons are as below.

Having lived in Waterside all my life I have been witness to the only new dwelling development (20 to 22 Victoria buildings) since the main parts of the village were built. This proposed development is

next to this development and poses the exact same issues that were not resolved back then but on a larger scale due to the size of the development..

1. The infrastructure to support this development is not in place and is not in part of the proposal to support it. I live at 1 Waterside Terrace and the level of traffic that goes up and down Victoria Building past my house at all hours of the day is ever increasing, this development will only increase this problem. There will be an increase in heavy vehicles to the site although temporary during the development as Victoria buildings is an unadopted road, there is no measures in place to mitigate the increase in traffic, and potential damage to the existing road that adequately mitigates the impact of the development. The sewers, street lighting, access, telephone lines etc. are not really adequate enough for the houses that already exists on Victoria buildings and so an additional 10 house will increase pressure on an already inadequate structure.
2. The site is subject to flooding. It is well know locally that Waterside brook floods in various places from Mill Cottages down to where the Papermill used to be in Eccleshill. One of the flood sites in on the proposed site. The last major flood I believe was around 1962 when the bridges near Barnes Holme Cottages where washed away and also part of the proposed development site next to the brook was flooded. On the basis that it happened once it will happen again and so having 10 dwellings in a flood risk site is just not acceptable.
3. The proposal is for too many houses. This development will increase the size of Waterside by effectively 20% in one go which I feel to unsustainable and unacceptable. We now have no facilities in the village, no shop, no pub, no play ground, the school in hoddlesden is virtually at capacity and so with developments in hoddlesden the available infrastructure and facilities are not keeping up with the increase in dwellings. I am afraid that the only real planning permission for new housing (which was for 1 house) was rejected a number of years ago, it does not make sense that permission for 10 would be acceptable at this time. Community cohesion is very important in such a small place and such an increase I believe will cause division and strain community relations which is unacceptable to me. I am also afraid it will open the flood gates to other developments on a similar or bigger scale if permission for 10 dwellings is giving which will ruin the area and the place I live. There are already rumblings of other potential developments if this goes ahead which further supports my previous points that Waterside cannot cope currently with such increases in dwellings.

However I am not totally against a level of development on the site. It has been derelict for years and needs something doing with it. I believe it would be fair to allow a development of 3 to 5 dwellings on the basis that there was previous 3 dwellings on the site (folly cottages) that have since been knocked down. As long as the dwellings are in keeping with the types of houses in the village (in terms of size, stone coloured, etc,) it will provide an overall benefit. I also believe it is also only fair for the developer to contribute to the infrastructure and even provide some contribution to the village in the form of a piece of land for kids to play which is flat and safe away from the main road through the village. In addition an adequate contribution to the road upkeep which is currently funded by the residents or the council finally seeing sense and adopting the road as part of the development. The quote attained by the parish council was for 190K to bring the road up to

adoptable standard and adopt it. As a proportion of council budget and development costs, I do not feel it would unreasonable for this to happen as improvement to the overall village.

Housing development cannot just be about passing the planning rules and making a profit. As stated at the beginning I have lived in the village all my life and am not adverse to change but it has to be for the right reasons and promote and complement the community and not at odds with it. At the moment I feel this proposal is at odds with the community and the village overall. Tweaks and some contribution from the developer and council I feel will mitigate this to come to an acceptable result.

Thanks

Geoff & Dawn Cooper.

Objection – Alison Homer & Mick Briggs. 20 Victoria Building Waterside Rec
12.09.2019

PLANNING APPLICATION – 10/19/0807 - Residential Development of 10 no. detached dwellings including access and associated landscaping

I wish to object to the above application with the below points to be considered:-

- Firstly when the said applicant cleared the land – no consultation was made with the residents of Victoria Buildings even though the said applicant claims to have spoken to every resident, eventually after about 2 weeks the said applicant posted a letter through the residents letterbox.
- Clearing the land from asbestos cement - the applicant at first did not clear the buildings in the correct controlled manner, after several complaints made to the council and our local councillor, the correct spraying of the buildings as they were demolished was put into place.
- There was no consideration for the residents of Victoria Buildings when clearing the land as heavy plant equipment was brought down the road at 10.00pm at night which was inappropriate especially the noise factor and disturbance.
- The land is on a flood plain from the reservoir.
- Concerns for the drainage and sewage element for the said houses where will this go and concerns for the pollution of the river at the back/side of the land.
- The dwellings proposed to be built are 3 storeys high and look directly at 20/21 and 22 Victoria building which is imposing and intimidating.

- Victoria Buildings is not wide enough to build a proper access road to the new dwellings.
- There are major concerns with the road as this is un-adopted which currently residents manage. The heavy plant equipment up and down will tear the road to pieces and in the plan it states they are not going to adopt the road up to adoption standards with additional drainage and just skim the road when completed. What happens in the meantime in the process when/if the properties get build and the road becomes so badly damaged the current residents cannot get up or down the road?
- Where will the plant equipment and contractor's car park if this goes ahead, there is only just enough parking now for the current residents let alone the contractors.
- If the said dwellings are built there will be additional traffic up and down victoria Building compounding on the wear and tear of the road.
- If the said dwellings are built will the new residents be informed they have to pay and contribute for the upkeep of the un-adopted road on a yearly basis?

I hope the contents of this letter and several the letters of objection will be taken into consideration.

Yours sincerely

Alison Homer/Michael Briggs

Objection – Paul Hooker. Unknown Address Rec 12.09.2019

Dear Sir

Reference; full planning application - residential development of 10 No. detached dwellings including access and associated landscaping at:

Vacant Land off Victoria Buildings
Waterside
Darwen

Unfortunately we were not sent a copy of the letter regarding the above development, however note that objections have to be received by 12th September. We have not seen any notices posted in the area either.

We live at the end of the lane at the bottom of Victoria Buildings and Victoria Buildings is the main (only) ingress in and out of our property.

We object to the planning application above on the following grounds:

1. There would be an increase in traffic in this area, our children use the lane and bridle path up past Victoria Buildings to access school every morning, it is already very busy in the mornings at the junction an increase in traffic would make this route more dangerous. There is a bus stop situated at the top of Victoria Buildings on the junction that our children use to catch the bus.

2. Victoria Buildings is on the Townley Loop bridle path and used regularly by horses and walkers, the development would again see an increase in traffic, especially at weekends when the bridle path is most accessed by the public. The bridle path is not separated from the road that accesses the proposed development, it is the road.

3. We note that planning has has been refused on previous occasions and nothing has changed.

4. Site traffic and building traffic would present significant issues with access and disruption for residents, users of the bridle path and horses.

Kind regards

Paul Hooker

Objection – Janine & Matthew Taylor. 1 Leonard Terrace Waterside Rec 11.09.2019

To Mr Blackledge,

Me and my husband live at number 1 Leonard Terrace, Waterside, BB3 3NT.

We are strongly opposed to the proposed plans on the Vacant Land off Victoria Buildings, for the reasons below-:

1. The unadopted road down Victoria Buildings is not adequate to take the volume of traffic I.e for 10 detached houses with potentially 2-3 cars per household.

2. The junction at the top of Victoria Buildings is terrible as visibility both ways is restricted, there are also hgv wagons all times day and night going to Shaws factory. On occasion ourselves and others have not been able to get out of the junction, this has caused a back log of traffic therefore causing mayhem, further traffic would increase congestion and add to the problem.

3. The road going down Victoria Buildings is a bridle path, there are regular outings for the locals on horseback, more traffic would cause major distress all round.

4. This is a Semi Rural and Green Belt area, any new builds would not be in keeping with the area and would be massively imposing. This is not a suitable location to build upon, unlike the site of the old Carus Mill which is crying out for development, this is also on the main road. The site is equal distance for two exit/entry routes.

5, Utility issues have failed in the area previously, therefore 10 more houses will majorly increase this problem and the pipes can just about take the amount of sewage currently.

6. We moved here January 2014 because it is Semi-Rural area in the countryside which is very peaceful. This is a major attraction, it would be an absolute shame to see this area with it's natural beauty and lovely charm developed and destroyed.

7. The noise and disruption would be an absolute nightmare to the people in this little Village, but also the amount of animals in the area and surrounding farmland.

8. Please do not allow the developer to come in and destroy our lovely Village and area which we love living in, all just make a few quid.

Yours Sincerely

Janine and Matthew Taylor

Objection – Marcus Clementson. Unknown Address. Rec 11.09.2019

Dear Mr Blackledge,

I write to register my concern in regard to the planning application that you have received,

The lane that services the Victoria buildings is a unadopted road , I believe the new development will add a significant additional traffic to the existing road that is little more than a loose surfaced lane,

I believe myself and other residents are responsible for the upkeep of this road so I am concerned as to how we will be impacted going forwards,

Regards Marcus Clementson

Objection – Laura Barrett. 1 Victoria Building. Rec 11.09.2019

To whom it may concern,

I'm writing in relation to planning application reference 10/19/0807. My name is Laura Barrett and my postal address is 1 Victoria Buildings , Waterside, Darwen, BB3 3PA.

I wish to submit my following concerns:

The current road, Victoria Buildings, is a private road has been and continues to be maintained by the residents. We pay for the upkeep of the road which includes materials, drainage management (due to the flood risk at the bottom of the road) and machinery hire and provide our own labour to keep the road in good condition.

I do not feel confident that the proposed plan to resurface the road will be sufficient a) for the use and traffic of wagons to supply materials to the site during building works nor b) feel confident that the condition will be maintained after properties have been inhabited. The proposed plan suggests access for 3 cars per household which would equate to an additional 30 cars that would use this small and private lane each and every day. It is a quiet road which is also a popular bridal path. The

current residents of Victoria Buildings don't have any off-road parking or garage space and therefore double park along the length of the lane making it a single track. Adding an additional 30 cars will make the road unsafe for the residents, children and animals whom currently use it.

I don't feel satisfied that the proposed plan by the applicant not to bring the road to an adoptable standard is sufficient considering the number of properties suggested. I feel that 10 properties with 3 cars per household is inconsiderate for such a quiet and private community.

The road needs to be either adopted by the council and the current residents given some additional off road parking/garage space or the proposed number of houses need to be significantly reduced making the new residents obliged by contract to contribute to the upkeep of the road on an annual basis.

Objection – Catherine Smith. 18 Victoria Building. Rec 10.09.2019

I wish to comment on planning application for housing estate at bottom of Victoria Buildings, I live at 18 Victoria Buildings and feel that the lane in its present state could not cope with extra traffic and an accident will happen at the top trying to get out, also children play on street because lane is quiet but if estate is built it would be unsafe to play Regards Catherine Smith

Objection – Elizabeth. 6 Victoria Building. Rec 10.09.2019

To Whom it may concern,

Reference: 10/19/0807

I am emailing regarding the recent planning application that has been submitted for 10 detached dwelling, near to Victoria Buildings Waterside Darwen. I would like to appeal this planning application on the following grounds:

- The plans state that there will be parking for up to 30 cars on the plot, this will increase the traffic coming up and down the road. The road is currently unadopted and with the extra volume of traffic on the road will increase the wear. As a resident of the street i am aware that we own half of the road. In the planning application it states they will resurface the road but this will not be to an adoptable standard which in turn won't be beneficial to the residents on Victoria buildings who currently maintain the road.
 - Victoria Buildings is a part of a bridle path and this is used by many horse riders locally, therefore putting them at risk
 - The new development won't be in keeping with the other houses within the village
-

Objection – David & Norma Almond. 1 Barnes Holme Cottages. Rec 10.09.2019

For the attention of Gavin Prescott-Planning Manager

Planning Application for 10 detached dwellings including access and associated landscaping at Vacant Land off Victoria Buildings, Waterside, Darwen

Reference 10/19/0807 – Letter of objection to the Application

Dear Sir

We are in receipt of your letter dated 21st August 2019 regarding the above application to build on land in close proximity to our home.

We have concerns regarding the disruption to both our day to day activities, access via the unadopted road and the extra burden/strain on amenities for example sewerage, water, gas, (carbon emissions etc.)

The land has lain unused for about 30 years, it is in a flood zone as recognised by the official site <https://flood-warning-information.service.gov.uk/long-term-flood-risk> According to the Environmental Agency- and the developers own Flood Risk Assessment, the area is within Flood Zone 3 which is classed as a 'vulnerable development' and will require an 'Exception Test'.

A development of 10 dwellings will also create more surfaces for water run off, drainage, sewers etc which could impact on the surrounding areas and obviously degrade the unadopted road further down from the development (past their proposed entrance) which is not in their remit to make good or maintain.

If soakaways are not possible at the site then would the surface water be discharged into Waterside Brook, which is located along the northern/north-eastern boundary of the site, further enhancing a flood risk along that boundary?

In the past the land has housed a Mill, which included a Gasometer, there was Coal Mining all around the area too and more recently a chicken farm with hen houses containing asbestos which fell into ruin.

We worry that the land contains contaminants which will be disturbed during development, polluting the surrounding area causing hazard to occupants and wildlife, by way of air, water, vegetation, landscaping etc.

The access road, from Johnson New Road, called Victoria Buildings is unadopted, the

services – gas, water, sewerage, drainage etc all run under this unadopted road. The application makes no consideration of the state of this road to carry extra traffic (for example: 10 detached homes each probably having two or three vehicles : 30 extra cars moving up and down an already rough road) notwithstanding the amount of construction vehicles it would have to support before the completion of the building. The applicant makes a token gesture of a layer of tarmac along the road, without provision of run offs, drains etc.

The road (Victoria Buildings) is not wide enough, in our opinion, to become an access road to a new housing development. Especially as most of the existing 22 dwellings do not have garage facilities and their vehicles are parked on the road outside their houses.

Also there would be the loss of existing views from properties on Victoria Buildings which could adversely affect the occupants quality and enjoyment of the area.

We have seen Badgers, Foxes, Bats, Herons, Hawks, Rats, Mice, Frogs, Newts and fish in this area and are concerned for the environmental damage which may be caused in the disturbance of the ground (possible contaminants) during the proposed building, and after with light pollution from 10 homes affecting the habits of the nocturnal wildlife.

There seems, according to the Planning Application, to be a wide range of tests and assessments yet to be performed by various different agencies to ascertain whether or not the proposed site is viable for development and so we, at this stage, and without convincing evidence to the contrary, would submit our objection to the Planning Application.

Objection – Chris Barritt. Victoria Buildings. Rec 10.09.2019

Re planning application 10/19/0807 Proposed construction of 10 houses Victoria Buildings Waterside

I live on Victoria Buildings which is an unadopted lane that currently just about manages to cope with the small number of residents vehicles that use the lane on a daily basis.

As it is only a small private country lane that only has access via one entrance children play at the bottom of it without fear of accidents and Residents Park on both sides at the top of the lane.

Leaving the lane and entering Johnson New Road can be difficult at times due to the speed of drivers on Johnson New Road and cars parked close to the junction.

I feel that an additional 30 cars using the lane would more than double traffic on the lane and run the risk of accidents, also the condition of the lane is such that a large increase in traffic would only lead to deterioration of the road surface.

For the application to be acceptable the applicant should really make the road surface up to council standards and put in traffic calming measures at the junction and also provide safe play area for children before any construction starts.

Objection – Mr A Green. 5 Victoria Buildings. Rec 09.09.2019

Dear Sir/Madan

I'm Andrew Green of 5 Victoria buildings waterside BB33PA.

I would like to object to the application 10/19/0807 on the grounds of the increased traffic on the track would more than double as it's only a single track lane what is unadopted so owned by the residents of Victoria buildings who have to pay to maintain the track and the people give up the time to do the work on it.

The new residents would have no obligation to the up keep of the road so the financial obligation would fall on the original residents.

As the applicant has offered to put a layer of tarmac on the track but not up to adoptable standard we don't know what standard he intends or how long it will last and we the residents will have the up keep of it after at an increased cost of using tarmac

As it's not part of the application just a promise it's not enforceable by the council as we had a promise of this in the past when number 20,21,22 Victoria buildings were built and it never happened then so why would it happen this time ? Because the builders firm was only set up in March this year no previous history is available.

As we own the road to the middle he will need the permission from the residents to do so and I won't allow it unless he gets it adopted and works with the council to do so,

The parish council looked into getting it adopted 5 years ago on behalf of the residents it was going to cost between £5000/£7000 per house.

He says in the application it's brown belt but it's not on the council brown belt site so this must makes it a green belt site.

The track is a designated bridle path and used every day by horse riders, off road cyclists and was recently used for a GB endurance horse competition.

Regards,

Objection – Mr L Shaw. 5 Victoria Buildings. Rec 08.09.2019

To whole it my concern,

This is an Objection to planning application 10/19/0807 The access road to this proposed site is via Victoria Buildings which is unadapted road.

The road is currently maintained voluntary by residents and the ten new houses will double the traffic, unless this road is brought up to a standard for the local authority to adopt the extra traffic is unacceptable.

Exciting Victoria Buildings is dangerous and would require some work to make it safer.

Objection – Julie & Trevor Gosling. 7 Victoria Buildings. Rec 07.09.2019

Planning application 10/19/0807

Dear Sirs

We wish to object to the planning application above.

Victoria buildings is an unadopted road and as house owners we are responsible for the road surface. The application states that there will be parking for 30 extra vehicles. These extra vehicles and additional visitors are going to put more pressure on the road surface. The applicant states that he is going to put a new surface on the road but it will not be to adoptable standard and as a resident we will be expected to maintain any further upkeep which we are extremely unhappy about. They state that they feel that the residents would be welcome the road improvements but as he has not spoken to us that is his opinion and not ours. As there is no public transport in the area the number of vehicles using Victoria Buildings has increased in volume over the last few years as most houses have a least one car and many having two cars which again has put pressure on the road and a temporary fix will not solve the problem.

The extra noise and disturbance that the extra houses and amount of traffic will create will disturb the peaceful rural area that we live in at the moment. We have noticed a problem with this already due to the lack of public transport.

The visibility at the top of Victoria Buildings to join Johnson Road at the moment is very difficult and additional traffic will make this situation worse.

The road is a bridleway and also there are stables nearby and it will increase the danger to the horses from increased traffic.

We do not feel that a development of four bedroom houses fit in the area which is predominately two up two down terraced houses and small cottages.

As the land is not on the register of brown field sites on your website we feel that this is a green belt/ agricultural land and as such the development is not in fitting with the area.

Objection – Christine Ainscough. 2 Barnesholme Cottage. Rec 06.09.2019

To Martin Kelly,
Reference 10/19/0807
Vacant land off Victoria Buildings,
Waterside
Darwen

I am writing to you regarding the above planning application onland close to where we live. The land in question is on an unmade road from Johnson Rd. leading on to Victoria Buildings. As this is only a narrow road, how are large wagons and vehicles going to bring down building materials and sundries, and machinery to the site.

Where is drainage going to go from the properties to be built, and where is the access to the properties in question, going to start and finish. Also where is mains electric going to run from, and where is the water supply coming from

Objection – Jacqueline & David Graham, The Old Co-Op, Watreside Terrace Rec
28.08.19

Dear Sir

We wish to lodge an objection to the proposed development (10/19/0807) of ten houses being built in our hamlet of Waterside. Our reasons for this are:

1. The increased noise, traffic and disturbance the development will bring in its initially building stage. The access road via Victoria Buildings is a single track, un-adopted road that is unsuitable for the increase in heavy vehicles that the development will bring. Increased heavy traffic – plant and lorries will degrade the road and cause untold damage to the underlying structure and the road surface. Pollution is also a concern for us since the route passes on two sides of our home.
2. The area of the proposed development is the habitat of many animals. The effect of the land clearance and subsequent building will destroy habitats and frighten off the deer, birds and myriad small mammals. It will also cause distress to the horses at the local stables, which are located within meters of the proposed development area.
3. The increase in traffic that will result from building homes with parking for a maximum three cars per house; not to mention the increase in deliveries, visitors etc will adversely affect residents' peace and quiet. We moved here for that reason and additional residences will absolutely impact our way of life.
4. Expanding the size of Waterside by giving the go-ahead for the development brings with it the risk of increased noise, litter and, with more human traffic passing through, the very real risk of an increase in criminal activity.
5. There are no play facilities for youngsters now, or in the proposal. More houses potentially means more children/teenagers with nothing to do, hanging around a community with many older people at its heart. The last thing residents want is our older people to become more isolated and frightened of venturing outside.
6. The total lack of shops and schools in Waterside means to access these services cars are required. The proposed development will add to the traffic on Victoria Buildings and through Waterside.

7. As the road (Victoria Buildings) is currently maintained by residents at considerable time and our own expense, we foresee the increase in traffic during and after building will damage the road and sub-structure further. The planning application states the developer has the residents' backing to resurface the un-adopted road. This is not the case – particularly as the developer admits, in writing, that their proposed work on the road will not be of an "adoptable standard". This suggests any repairs will be piecemeal, ephemeral, of an inferior standard and not of any practical use given the increase in heavy vehicles and residents' cars and vans.
8. The planning application indicates that the proposed development will be out of character with existing architecture. In comparison with existing dwellings – it will stick out like a sore thumb, and not in a pleasant aesthetically-pleasing way. The dwellings in Waterside are Victorian terraced cottages and rural farm houses. Modern architecture has no place here.
9. The character of Waterside will be changed completely should the development go ahead. The area is rural and green with older families and individuals in residence. It is a peaceful and animal-friendly environment. It is not the case that the proposed development will 'uplift the area' as stated in the planning application, by the developer. It will devalue the hamlet and its natural beauty.

Yours faithfully

Jacqueline Graham & David Graham

Objection – Ian Almond, 1 Mill Cottages, Waterside Rec 28.08.19

Good Afternoon Planning Team,

I am writing to object to planning application 10/19/0807 relating to the proposed residential development of 10 no. detached dwellings inc access and associated landscaping on vacant land off Victoria Buildings, Waterside, Darwen.

My first concern is that the site is based on an area with high potential to flood.

I have seen the river spill onto this area in the past when the weather has been inclement for a number of days.

This is a high risk factor that needs some consideration.

There are much less risk areas to develop in the Blackburn with Darwen area where new homeowners property would not be at risk and home insurances would not be heightened.

I have a big concern about the increased volume in heavy plant machinery, delivery vehicles & waste removal vehicles that would be using the unadopted Victoria Buildings road to access the proposed site.

We as a community maintain the road ourselves at our own cost and the heavy plant required to carry out the proposed works would ruin the road, and potentially the drains etc that are not far under the surface.

The road is not designed to take constant plant traffic going up and down it and would quickly fall into a state of disrepair.

I have to add that when the initial so called 'clear up' works took place down at the site earlier in the year there was a promise of the road being repaired once the works were complete. We are still awaiting these road repairs.

It is also worth noting that the access down Victoria Buildings for plant machinery/wagons is limited as this is not a wide road.

There is a high potential of damage to vehicles parked on the road.

There will also be disruption if plant is to be loaded/unloaded as there is nowhere on the road to park out of the way and turning large vehicles around is almost impossible.

The lane is also an official bridleway and as such there are horses coming up and down on a daily basis.

I am concerned that an increase in traffic, particularly heavy plant, has potential to spook the horses and also increases the risk to safety of animals and riders.

The increased noise pollution during construction also needs to be considered.

I am worried about the aesthetics of the area being detrimentally affected by the proposed works.

It is my understanding that the plots will be sold and the plot owner can design their own house.

Surely there has to be some consideration to the style of housing allowed in such a rural area?

I have major concerns over the probability of the site ever being completed also, and I do not want the area to become another half completed site, much like some other areas within Blackburn with Darwen, such as Belgrave where Crown Wallcoverings used to be, which is just an eyesore now, and I do not want one of those on my doorstep.

I conclude by reiterating that there are much better, feasible and accessible sites on which to build within Blackburn with Darwen, the Belgrave Mill site being one. This site has many risks and has had failed planning applications in the past, some with more credibility than this application. I strongly object the application for the above reasons.

Many thanks for taking the time to read my objection.

Best Regards,

Objection – Lorraine Higham & Gael Atherton, Fairview, Waterside Terrace, Darwen
Rec 24.08.19

Dear Sirs,

We wish to raise formal objection to the plan to build 10 detached dwellings on vacant land opposite Victoria Buildings. Waterside. Darwen.

This is a small hamlet with no services, shop and is not on a public transport route. The addition of 10 large houses, with the potential for up to 3 cars per house will cause huge problems. Access to this land is via an unadopted, unmade, single track road. Parking for existing Victoria Buildings residences is on this road, making it single track and already proves difficult at busy morning and evening periods. Allowing up to 30 additional cars to use this road on a daily basis would have a significant impact on this access for current residents as well as further deteriorate the state of the road which is currently maintained by the community at their own expense.

Increased traffic and a significant increase in residents would also, invariably increase noise and disturbance to our quiet, peaceful home in greenbelt land. We have deer, farm and other wild animals on our doorstep that would also be disturbed by an increase in traffic, noise and population.

There are no amenities in the village for children, no park or playground which again may increase risk of accident on the road and noise disturbance with a huge increase of young people with nowhere to play.

A further but significant concern is how the unmade road and residents will cope with the influx of construction vehicles over an extended period of time. This will cause significant noise disruption and residents are worried about the safety of parked vehicles on a narrow road with construction traffic trying to access the building site.

Our road is steep, not on a gritting route, causes problem for traffic in winter months. Cars can and do get stuck causing the road to block and become more hazardous. Residents regularly do work to the road to ensure that it is able to drain as it can be subject to flooding as water runs down from the fields off Johnson Road. Further traffic is only likely to deteriorate the state of the road, requiring more frequent work, by residents, at their own expense.

Yours sincerely,

Lorraine Higham. Gael Atherton

Fairview