

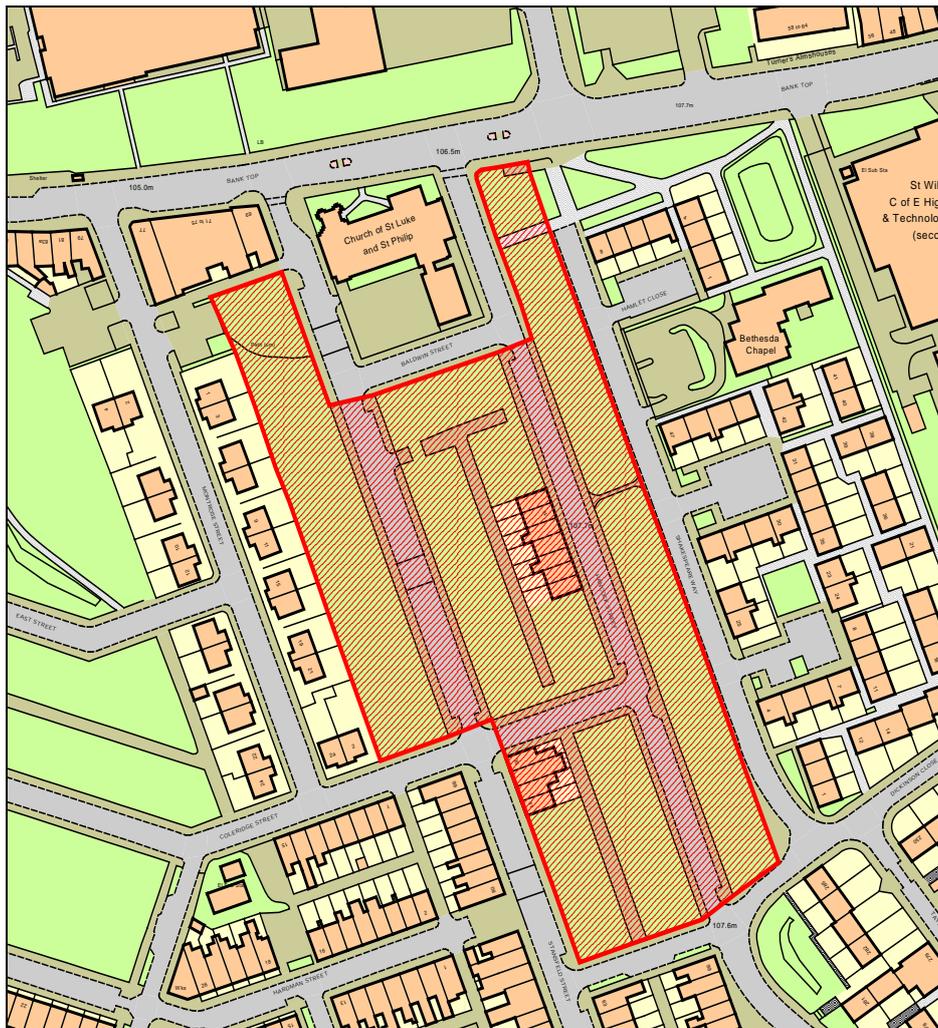
Proposed development: Full Planning Application (Regulation 4) for; erection of 56 no. dwellings, open space and associated works.

**Site address:
Land at Shakespeare Way
Blackburn
BB2 2LY**

Applicant: Seddon Construction Limited

Ward: Blackburn Central

**Councillor: Zamir Khan
Councillor: Saima Afzal
Councillor: Mahfooz Hussain**



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 it being a 'significant major' application; in excess of 50 residential units.
- 2.2 Members are advised that the application site is currently council owned. The planning application is submitted in full application form and follows pre-application discussion between the applicant and the Council's Strategic (Housing) Growth & Development and Development Management teams, around a proposal for a 100% mixed tenure Affordable Housing scheme. In Support, in principle, was offered at pre-application stage; subject to a detailed assessment. Should the application be approved, the land will transfer to the ownership of social housing landlord, Great Places.
- 2.3 Assessment of the application establishes that the proposal 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 and much needed affordable housing across the site, including a fully integrated housing mix for the benefit of the local community which will assist in widening the choice on offer for families in the Borough and which will have significant benefits in achieving social cohesion. Integrated areas of Green Infrastructure are included in the scheme. Accordingly, the development will offer a sustainable and desirable place to live, as well as providing a solution to a declining area in need of redevelopment. 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 site is currently owned by Blackburn with Darwen Borough Council. It is one of the Council's surplus strategic land assets detailed for housing; in accordance with the strategic aims and objectives of the Council's Growth and Development Business Plan 2019 – 2023. The site is located within Blackburn's Inner Urban Area and is allocated for housing (Site 16/4 – Griffin Development Site); in accordance with the Development Plan.
- 3.1.2 The site predominantly comprises previously developed, vacant land that has been cleared of housing stock, to facilitate redevelopment. It measures 1.6 hectares in area and is located to the west of Shakespeare Way, Blackburn; approximately 1.8 miles to the south west of Blackburn Town Centre. Baldwin

Street and the A674 Bank Top bound the site to the north with Coleridge Street and Dickinson Close to the south. Stansfeld Street bounds the site to west. Topography throughout is generally consistent, save for a gentle slope in a north / north westerly direction. There are a number of trees dispersed throughout the site, most significantly positioned to the south and north eastern boundaries.

- 3.1.3 With reference to the surrounding area; it is predominantly residential in character to the south, west and east. St Luke's and St Philip's Church is located to the north of the site. Beyond this is the A674 which serves a range of retail and commercial / industrial uses.
- 3.1.4 Beyond residential properties to the west lies further land cleared of housing stock. This section of land will be subject to a planning application for residential use, in the near future.
- 3.1.5 The site benefits from its sustainable location, adjacent to the A674 which is a main arterial route into Blackburn Town Centre. A regular bus service is available into the town centre and locations elsewhere, including Preston, Chorley and Burnley. Blackburn Town Centre serves as a public transport hub, providing road connections to alternative destinations. Direct rail connections, from Blackburn Station, are available to destinations across East Lancashire as well as Preston, Bolton, Manchester and Leeds. A train station at nearby Mill Hill serves the local community, providing links into the wider rail network.
- 3.1.6 Members are advised that, planning permission was granted in 2018 for '*demolition of the former Griffin Public House, Nos. 35-41 Stansfeld Street and Nos. 12-24 Hancock Street; site enabling works and associated works*'. Demolition of the buildings was carried out last year.

3.2 Proposed Development

- 3.2.1 Full planning permission is sought for the erection of 56 dwellings, open space and associated works; as set out in the submitted drawings and supporting documents.
- 3.2.2 The proposal represents a gross density of 35 dwellings per hectare; featuring a range of 2, 3 and 4 bedroom semi-detached and terraced typology, to reflect local need and demand. In this context, it should be recognised that the development will provide for 100% affordable housing. Whilst the majority of plots are 2 storey, 5 single storey bungalows are proposed to offer variety and provision of accommodation for the elderly or less able. Accommodation schedule is as follows (to be read in conjunction with submitted drawings):

House Type	Bedrooms	Storey	Number
2H716	2	1	5
2H753	2	2	14
3H889	3	2	10
3H897	3	2	18
4H8017	4	2	9
Total			56



Extract from submitted "proposed site plan".

3.3 Development Plan

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

- 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 16 – Housing land Allocations
- Policy 18 – Housing Mix
- Policy 38 – Green Infrastructure on the Adopted Policies Map
- Policy 39 – Heritage
- Policy 40 – Integrating Green Infrastructure and Ecological Networks with New Development

3.4 **Other Material Planning Considerations**

3.4.1 Griffin Supplementary Planning Document (2017)

3.4.2 Green Infrastructure Supplementary Planning Document.

3.4.3 Residential Design Guide Supplementary Planning Document (2015)

3.4.4 Blackburn with Darwen Brownfield land Register

3.4.5 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. Effective use of under-used or vacant land is also emphasised. Areas of The Framework especially relevant to the proposal are as follows:

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

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
- Green Infrastructure
- Affordable housing

3.5.2 Principle

The principle of residential development is established under the Local Plan Part 2, Policy 16 – Housing Land Allocations. The policy guides development of 4 parcels of land, the largest two of which are the application site and land to the west which was previously cleared of housing stock to enable redevelopment. The 4 sites are estimated to yield approximately 150 homes. The 56 proposed for the application site is considered a proportionate response to the site circumstances, including an acceptable gross density of 35 units per hectare and an appropriate housing mix which is consistent with the aims of Core Strategy Policy CS7, which encourages a full range of new housing over the life of the Core Strategy to widen the choice available in the local market, with an emphasis on Housing Market Renewal areas, particularly new family housing and housing that meets the needs of people on low incomes, including those affected by clearance. In this context, it should be reiterated that the proposal will deliver 100% affordable housing of mixed tenures, for people on low incomes who are on the affordable housing register.

3.5.3 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.

3.5.4 The submitted site layout includes 56 dwellings with associated curtilage, around a pre-existing, linear highway network and Public Open Space. It should be recognised that the layout does not accord with the Council's adopted separation standards; as set out in the Residential Design Guide SPD. Interface between the rear of proposed dwellings along Stansfeld Street

and the rear of existing dwellings along Montrose Street is substandard, at circa 17m - representing a shortfall of 4m from the adopted 21m standard - notwithstanding proposed dwellings being spaced so as to be offset from those on Montrose Street. A sub-standard 17m separation also exists between principle windows to the rear of the proposed bungalow at plot no. 16 and principle windows to the front of nos. 25 and 27 Shakespeare Way.

- 3.5.5 Sub-standard separation also exists between opposing proposed dwellings along Hancock Street, involving single storey bungalows at plots 20-27 and two storey dwellings at plot nos. 26-31. Separation in this case ought to be 24m, on account of the single storey double storey relationship. An offset relationship between these proposed dwellings and dual aspect ground floor rooms serving the bungalows does, however, offer a degree of mitigation.
- 3.5.6 Whilst recognition of sub-standard separation is important, it should be considered in the context of the pre-existing street pattern, which limits the ability to comply with current adopted standards, and the economic, social and environmental benefits that arise from redeveloping the site. Members are, therefore, advised that these other materials considerations are considered, on balance, to outweigh rigid application of the current adopted standards.
- 3.5.7 Each of the proposed dwellings will be served by proportionate sized plots, offering ample private space to service the needs of householders.
- 3.5.8 A Phase 1 and 2 Contaminated Land Report has been submitted and reviewed by the Council's Public protection consultee. It is mutually agreed that further intrusive investigations are needed to inform the need or otherwise for remediation. These works will be secured by condition.
- 3.5.9 Safeguarding residential amenity during the construction phase of the development will be secured by the approved Construction Method Statement and a restriction on working hours; implementation of which will be secured by condition.
- 3.5.10 Accordingly, the development is considered compliant with safeguarding amenity objectives of the Development Plan and The Framework.
- 3.5.11 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.
- 3.5.12 Drainage
A drainage strategy has been submitted and reviewed by United Utilities and the Council's Drainage consultee. To date, a response as the acceptability of the strategy, has not been received. Their response will be included in a subsequent update report.

3.5.13 Ecology

An Extended Phase One Habitat Survey (Preliminary Ecological Appraisal) and a Bat Roost Assessment are submitted with the application. Both have been reviewed by the Council's consultant Ecologist. The site is generally accepted as low in ecological value. No evidence of protected species was found on the site.

3.5.14 Further, it is established that trees present on site do not have the potential to support roosting bats. The trees, do, however, have the potential to support nesting birds. Tree clearance is, therefore, recommended to be undertaken outside of the main bird nesting season (March – August), unless it can otherwise be demonstrated that no active bird nests are present.

3.5.15 A Biodiversity and Enhancement Measures report is submitted with the application. This includes measures to enhance the biodiversity value of the site, such as increasing the diversity of the grassland areas, use of locally native species in new landscaping, provision of bird and bat boxes within the development and designing the boundary features to allow movement of wildlife across the site. These measures are acknowledged as in line with National Planning Policy which encourages biodiversity gains to be delivered through the planning system and should be incorporated into the development. Such measures are to be secured by condition.

3.5.16 Trees

A Tree Survey & Constraints Report and an Arboricultural Impact Assessment Statement (AIA) are submitted with the application. Trees are recognised as dispersed across the site, including 14 individual specimens and 8 groups. Category A and B trees are recognised as the most visually beneficial, though none of the trees are protected by Order.

3.5.17 Retention of trees within the POS, located at the north east corner of the site within proposed rear gardens to plots along Stansfeld Street is assured; as set out on the submitted AIA and site plan. Their retention will be secured condition. Trees considered to be of value (category A & B) will be lost on land adjacent to Hancock Street. Replacement planting throughout the site will, however, result in an overall net gain of trees of value.

3.5.18 Protection measures for trees to be retained will be in accordance with the AIA; to be secured by condition.

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

3.5.20 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.

- 3.5.21 A Transport Statement and supplementary Technical Note are submitted with the application. The scheme is developed around existing highway infrastructure, with private driveways accessed from existing carriageways. All drives and vehicular crossings are to be constructed in a manner to preserve pedestrian priority. Such works will be secured by condition.
- 3.5.22 Existing carriageways, footways and associated drainage are to be upgraded, following completion of the houses. A review of outdated traffic calming and operational movement of traffic through the site will also be undertaken, including all existing TRO's / restrictions. A bespoke approach will be introduced to cater for the needs of the development and the wider area. Such works will be secured by condition.
- 3.5.23 Sufficient connectivity through the development to existing housing is achieved.
- 3.5.24 Impact on the wider highway network is considered negligible, particularly considered in the context of the previously developed residential area and pre-existing highway connections.
- 3.5.25 Conditions to secure submission of technical construction details relating to highway surface treatment will be secured by condition.
- 3.5.26 A Construction and Environmental Method Statement is submitted with the application. Matters pertaining to proposed temporary street closures during construction phase are yet to be resolved. Accordingly, a revised statement is to be secured by condition, in order to ensure appropriate management of highway safety / efficiency and public amenity during construction phase of the development.
- 3.5.27 Dedicated off street parking for each dwelling is provided; in accordance with the Council's adopted standards.
- 3.5.28 Accordingly, the development is considered compliant with the highway objectives of the Development Plan and The Framework.
- 3.5.29 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. The Residential Design Guide offers targeted supplementary advice.
- 3.5.30 Layout of the development responds appropriately to the linear highway network and surrounding constraints. Ordered orientation of dwellings follows the prevailing pattern of the area. Overall, the dwellings are of an appropriate mix of detached two storey, detached bungalows and semi-detached. All are at a scale proportionate to individual plot sizes and to surrounding properties.

3.5.31 Public open space at the north east corner of the site is offered, which includes retention of mature tree specimens. A comprehensive hard and soft landscape strategy across the site will deliver a well-integrated and attractive development, ensuring a significant enhancement of the area is achieved.

3.5.32 Appropriate boundary treatments will feature across the site, including close boarded timber delineation between private gardens and to rear gardens facing Shakespeare Way. Great Places will be responsible for continued maintenance of such fences, to properties that are affordable. Those in shared ownership will be subject to lease agreements requiring householders to maintain fences in an appropriate manner. Hedgerows will also feature at prominent corner plots side on to Shakespeare Way and Hancock Street.

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

3.5.34 Financial Contributions

Development of the site will deliver 100% affordable housing and integrated Green Infrastructure. Accordingly, no Section 106 contributions are required from the developer.

3.5.35 Summary

This report assesses the full planning application for the residential development of land at Shakespeare Way, Blackburn. 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 aims and objectives of the Local Development Plan and The Framework.

4.0 RECOMMENDATION

4.1 Approve subject to:

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 Impact Assessment, including tree protection measures
- Trees to be retained in accordance with approved details
- Implementation of approved (hard and soft) landscaping scheme
- Implementation of approved biodiversity enhancement strategy
- 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 or implementation of drainage strategy (dependant on outcome of Drainage and UU response).
- Submission of a drainage maintenance and management strategy

- Submission of highway infrastructure engineering details including drainage, street lighting and street construction
- Submission of traffic management and traffic calming measure review scheme
- Submission of a Construction & Environmental Management Statement
- Visibility splays not to be obstructed by any building, wall, fence, tree, shrub or other device exceeding 0.6m above crown level of the adjacent highway
- 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
- Houses to remain 'Affordable' in perpetuity
- Removal of Permitted Development rights
- Development in accordance with submitted details / drawing nos.

5.0 PLANNING HISTORY

5.1 The following planning applications are relevant to the application site:

10/17/0146 – Prior notification of demolition of the following houses:

- 2 – 10 & 75 – 79 Hancock Street
- 41 – 61 Stansfeld Street

Prior approval granted under delegated powers on 25th April 2017.

10/18/0612 – Full planning application for Demolition of the following, together with site enabling works:

- former Griffin Public House,
- Nos. 35 - 41 Stansfield Street
- Nos. 12 - 24 Hancock Street

Approved by Planning & Highways Committee on 20th August 2018.

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 conditions:

- Submission of surface water drainage strategy.
- Foul and surface water to be drained on separate systems

6.3 Environment Agency

No comment offered.

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:

- Implementation of Demolition / Construction Traffic Management and Environmental Statement
- Submission of highway infrastructure engineering details including drainage, street lighting and street construction
- Submission of traffic management and traffic calming review
- No obstruction to visibility splays.

6.8 Ecology

No objection subject to the following condition:

- Implementation of biodiversity measures; and Informatives with reference to protected birds / bats

6.9 Strategic Housing

No objection – support offered for good quality affordable homes with an appropriate mix of house types.

6.10 Growth Team

Confirmation of no Section 106 requirements.

6.11 Lancashire Police

No comment offered in response to consultation on application. A pre-application response was, however, provided direct to the applicant, around the principles of crime impact / prevention.

6.12 Public consultation has taken place, with 181 letters posted to neighbouring addresses; a Press Notice published 16th December 2019; and display of site notices on 5th December 2019. In response, 2 objections were received which are shown within the summary below.

7.0 CONTACT OFFICER: Nick Blackledge, Senior Planner - Development Management.

8.0 DATE PREPARED: 30th January 2020.

9.0 SUMMARY OF REPRESENTATIONS

Objection – Mr Shahzad, 79 Stansfield Street. Rec 25.12.2019

I would like to comment on the house planning on the reference number above.

As our houses are old and built 1800, I would like you to take into consideration that the houses in this area are not great.

I would like you to give the area the first refusal on these new houses that are being built

I cannot grant permission until the above criteria is met.

From: 79 stansfeld street

Blackburn

Thanks

Objection –Mr Ibrahim Mulla, 92 Stansfield. Rec 25.12.2019

Thank you for your recent letter dated 04/12/19.

I have addressed your letter regarding a planning application near my property. After careful consideration and looking into the community recent issues, I would not be happy if this proposal went ahead, I can only consent if the following is addressed:

The present houses in the area are outdated and we have never had any benefit within the area regarding regeneration off the area. The only way to give the people within the area something back would be to give them first refusal on these new houses that are being built.

Our houses were made in 1800's so we have not had any money invested in housing or any other benefits we have gained from the local council.

I would be grateful if council can look into this and offer the present residents first refusal on these new houses.

If you cannot do this, then I would like to be consulted and given first refusal on these houses.

If you cannot guarantee or offer me this, then personally I cannot accept your planning application.

Also I would like full information as to how these houses are going to be sold as I need to know how councils operate, as there is a strong feeling within the community that the houses will be taken even before they are built.

I await your reply.

Thanks in advance