

**MINUTES OF A MEETING OF THE
BRIERFIELD AND REEDLEY COMMITTEE
HELD AT BRIERFIELD TOWN HALL
ON 2ND FEBRUARY, 2016**

PRESENT

His Worship the Mayor Councillor N. Ahmed

Councillor N. Ashraf – Chairman (In the Chair)

Councillors

*M. Arshad
M. Hanif
Y. Iqbal*

Co-optees

P. V. Bates

Officers in attendance

*David Walker
Kathryn Hughes
Lynne Rowland*

*Environmental Services Manager (Area Co-ordinator)
Principal Development Management Officer
Committee Administrator*

(Apologies for absence were received from Councillor R. Allen.)



The following persons attended the meeting and spoke on the items indicated –

<i>Jim Eccles</i>	<i>13/15/0549P Full: Erection of 2 no. dwellings and creation of additional associated parking area at land adj. 170 Colne Road, Brierfield</i>	<i>Minute No.115(a)</i>
<i>Danny Davies Karen Crawshaw</i>	<i>13/15/0561P Outline: Erection of 9 dwellings (layout and access) at land North of Heather Close/Waverley Close, Brierfield</i>	<i>Minute No.115(a)</i>
<i>Alan Kinder</i>	<i>13/15/0598P Full: Erection of a two storey dwelling with detached garage and access from Redman Road at land at Redman Road, Reedley</i>	<i>Minute No.115(a)</i>

111. DECLARATION OF INTERESTS

Members were reminded of the legal requirements concerning the declaration of interests.

112. PUBLIC QUESTION TIME

A resident of Rothesay Road, Brierfield reported several problems in his local area. These included problems with litter and dog waste; fly tipping by the garages on Granville Road; and anti-social behaviour from youths congregating in the ginnel at the top of Rothesay Road and in the woods at Roseland Avenue.

With regard to the issues relating to litter, dog waste and fly tipping, the Environmental Services Manager advised that, following each weekly bin collection, the mechanical sweeper cleaned the area. A Neighbourhood Pride Operative also patrolled the area twice a week. However, if specific areas of concern were reported to the Council, subject to resources, the Environmental Crime Team could also patrol the area. The resident was advised that any record of frequent fly tipping could help achieve prosecution.

It was agreed that the concerns over anti-social behaviour would be referred to the police and appropriate officers of the Council.

113. MINUTES

RESOLVED

That the Minutes of this Committee, at a meeting held on 5th January, 2016 be approved as a correct record and signed by the Chairman.

114. PROGRESS REPORT

A progress report following action arising from the minutes of the last meeting was submitted for information.

115. PLANNING APPLICATIONS

(a) Applications to be determined

The Planning, Building Control and Licensing Services Manager submitted a report of planning applications to be determined as follows –

13/15/0549P Full: Erection of 2 no. dwellings and creation of additional associated parking area at land adj. 170 Colne Road, Brierfield for Briggs Demolition

RESOLVED

That planning permission be **granted** subject to the following conditions –

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 14/1081/101, 14/1081/201, 15/1081/202, 203, 204, 205, 206, 207 and 208.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted (notwithstanding any details shown on

previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.

4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order, 2015 (or any other order revoking or modifying that Order) the dwellings hereby permitted shall not at any time have any additional windows, doors, dormers or other openings inserted in their gable elevations unless with the prior written consent of the Local Planning Authority as to the location, size, design and degree of obscuration of the glazing in the new opening and any window thereafter installed shall at all times comply with the details approved.

Reason: To safeguard residential amenity.

5. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C and E of Part 1 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Part 1

A) no extensions shall be erected

B+C) no alterations to the roof of the building shall be carried out

E(a)) no buildings, enclosures, swimming or other pools shall be erected or constructed within the curtilage of the buildings

E(b) no containers for the storage of oil or gas for domestic heating purposes shall be installed within the curtilage of the buildings

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the character and amenity of the area and impacts on neighbouring properties.

6. The car parking spaces to be provided for Plots 7 and 8, as shown on approved drawing no.14/1081/201 shall be laid out and provided prior to the first occupation of any house it relates to. The spaces shall thereafter at all times be retained for the parking of cars associated with the occupants of the dwelling.

Reason: In order to ensure the site is provided with adequate off street parking in the interests of highway safety.

7. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. Such works shall be carried out concurrently with the rest of the development and in any event shall be finished before the building is occupied.

Reason: In order that the Local Planning Authority may be satisfied with the details of the

proposal and to avoid flooding.

8. No development shall take place unless and until a site investigation of the nature of land stability and extent of former coal mine workings has been carried out in accordance with a methodology which shall previously have been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If the requirement for any remedial work is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins.

Reason: In order to prevent land stability issues in relation to historic mine workings at the site.

9. Development shall not commence unless and until details of the external appearance of the proposed retaining wall to the northern boundary of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with these details prior to the first occupation of any dwelling hereby approved and retained thereafter.

Reason: In the interest of visual amenity.

REASON

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development is acceptable and compliant with the Local Plan Part 1 and the National Planning Policy Framework. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

13/15/0561P Outline: Erection of 9 dwellings (Layout and access) at land North of Heather Close/Waverley Close, Brierfield for Mr W. Yasin

The Planning, Building Control and Licensing Services Manager reported receipt of amended plans which had been requested in order to address highway and amenity issues. A further two conditions had also been proposed.

RESOLVED

That planning permission be **granted** subject to the following conditions –

1. Approval of the details of the scale and appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority, in writing, before any development is commenced.

Reason: In order to comply with the provisions of Article 1(2) of the Town and Country

Planning (General Development Procedure) Order 1995.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun either before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. Such works shall be carried out concurrently with the rest of the development and in any event shall be finished before the building is occupied.

Reason: In order that the Local Planning Authority may be satisfied with the details of the proposal and to avoid flooding.

5. Before development commences a Construction Method Statement shall be submitted to the Local Planning Authority for approval in writing and shall thereafter be adhered to at all times during the construction period.

The Statement shall provide for:

1. the parking and access of vehicles for site operatives and visitors
2. loading and unloading of plant and materials
3. storage of plant and materials used in constructing the development
4. wheel-washing facilities
5. measures to control the emission of dust and dirt during construction

Reason: In the interests of amenity and to control the construction process.

6. As shown on approved plan number 005-PL010E, the access shall be so constructed that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the adjoining edge of carriageway, to points 1.05 metres above ground level at the edge of the adjoining carriageway and 33 metres distant in each direction measured from the centre of the access along the nearside adjoining edge of carriageway prior to the commencement of any other works on site and thereafter be permanently retained.

Nothing shall be planted, erected or allowed to grow on the triangular areas of land so formed, which would obstruct the visibility described in the condition above.

Reason: In order to ensure satisfactory visibility splays are provided in the interests of highway safety.

7. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C and E of Part 1 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Part 1

A) no extensions shall be erected

B+C) no alterations to the roof of the building shall be carried out

E(a) no buildings, enclosures, swimming or other pools shall be erected or constructed within the curtilage of the buildings

E(b) no containers for the storage of oil or gas for domestic heating purposes shall be installed within the curtilage of the buildings

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the character and amenity of the area and impacts on neighbouring properties.

8. The recommendations detailed in the Phase 1 Habitat Survey undertaken by ADK Environmental Management dated November 2015 shall be carried out prior to any building work at the site. Any further, necessary mitigation measures identified should be submitted to and approved in writing by the local planning authority prior to the commencement of any further development. The development shall subsequently be implemented entirely in accordance with the approved details. Thereafter, unless otherwise agreed in writing by the local planning authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To protect species and their habitats.

9. No vegetation or tree clearance work shall take place during the bird breeding season. Such activities shall be confined between the months of October (start) to February (end) unless a bird breeding assessment and is undertaken by a suitably qualified ornithologist along with a report of the findings to identify if any breeding birds would be affected. Any clearance outside of the period between October to February (inclusive) must be agreed in writing by the Local Planning Authority and clearance thereafter shall be undertaken in strict accordance with the approved details.

Reason: To ensure that suitable habitats for breeding birds are not harmed.

10. The car parking shown on each plot shall be provided prior to the first occupation of any house it relates to. The spaces shall thereafter at all times be retained for the parking of cars associated with the occupants of the dwelling.

Reason: In order to ensure the site is provided with adequate off street parking in the interests of highway safety.

11. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any

contamination which may be present on site. The method statement shall detail how:-

a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority;

And,

b) a comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Advisory Notes:

(i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled "Information for Developers on the investigation and remediation of potentially contaminated sites" will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.

(ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.

(iii) This condition is required to be fully complied with before development is commenced. Failure to comply with the condition prior to commencement of work may result in legal action being taken.

Reason: To identify any contamination of the site from previous uses and to ensure remediation of any contamination to safeguard future users or occupants and the environment beyond the site and prevent contamination of the controlled waters.

12. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, changes of level or development or development-related work shall commence until protective fencing, in full accordance with BS 5837 : 2012 has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this

condition. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

All works involving excavation of soil, including foundations and the laying of services, within the recommended distance calculated under the BS 5837 (2012) of the trees to be retained on the site, shall be dug by hand and in accordance with a scheme of works which has been submitted to and approved by the Local Planning Authority, prior to the commencement of works.

Reason: To prevent trees or hedgerows on site from being damaged during building works.

13. The development hereby permitted shall be carried out in accordance with the following approved plans: LUI005 – P001, 005-PL010E.

Reason: For the avoidance of doubt and in the interests of proper planning.

14. Development shall not commence unless and until details of proposed boundary treatments and retaining measures to the eastern boundary of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in strict accordance with the approved details and shall be completed in their entirety to the first occupation of any dwelling on site.

Reason: To ensure that suitable boundary treatments and measures are in place, accounting for the significant difference in land levels.

Note:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848.

REASON

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development is acceptable in terms of layout and highway, thereby complying with the Local Plan Part 1 and the National Planning Policy Framework. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

- 13/15/0598P Full: Erection of a two storey dwelling with detached garage and access from Redman Road at land at Redman Road, Reedley for Mr S. Manzur**

RESOLVED

That planning permission be **granted** subject to the following conditions –

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: MANZ/01 - Dwg01, MANZ/01 Dwg - 02, MANZ/01 Dwg - 03. MANZ/01 Dwg - 04.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted (notwithstanding any details shown on previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.

4. No part of the development hereby permitted shall commence until a scheme for the boundary treatments (the siting and cross sections of electric gate mechanisms and the method in which the gate posts will be affixed to the ground) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved scheme.

Reason: In the interests of visual amenity and to ensure that the proposed development does not adversely impact on nearby trees.

5. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. Such works shall be carried out concurrently with the rest of the development and in any event shall be finished before the building is occupied.

Reason: In order that the Local Planning Authority may be satisfied with the details of the proposal and to avoid flooding.

6. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, or construction work shall commence until protective fencing, to BS 5837 : 2005 at least 1.25 metres high securely mounted on timber posts firmly driven into the ground has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of

construction.

Reason: To prevent trees from being damaged during building works.

7. The proposed development shall not be brought into use unless and until all car parking spaces for the dwelling have been constructed, surfaced, sealed, drained and marked out in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The parking spaces and turning areas shall thereafter always remain unobstructed and available for parking and turning purposes.

Reason: In the interest of amenity.

8. Before the dwelling unit is occupied, waste containers shall be provided in a bin/re-cycle storage area on the plot.

Reason: To ensure adequate storage facilities for domestic refuse, in the interest of residential amenity.

REASON

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development is acceptable in principle and accords with Policies SDP1, ENV1, ENV2 and LIV1 of the Core Strategy Part 1. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

(b) Planning appeals

The Planning, Building Control and Licensing Services Manager reported that, as at today's date, there were no new appeals and no appeals outstanding.

116. ENFORCEMENT/UNAUTHORISED USES

Enforcement Action

The Democratic and Legal Manager submitted a report on outstanding enforcement cases in the Brierfield and Reedley area. Details of the level of fine imposed with regard to 71 Colne Road, Brierfield were reported at the meeting.

117. CAPITAL PROGRAMME 2015/16

The Neighbourhood Services Manager submitted a report which advised Members on the Committee's 2015/16 capital budget. The report included two bids for consideration. A further two late bids were also submitted.

RESOLVED

That –

- (1) £2,000 be allocated for the purchase of one bench and the installation of two benches on Sackville Street/Railway Street, Brierfield.
- (2) £100 be allocated for tree pruning at the Brierfield Family Tree Centre allotment.
- (3) £750 be allocated for the construction of a bund to prevent flooding of properties on Patterdale Close, Reedley.
- (4) £200 be allocated for a new handrail to assist pedestrians on the steps at Higher Reedley Road, Reedley.
- (5) the appropriate amount be allocated from the capital programme to provide and install a grit bin at the junction of Broadhurst Way and Borrowdale Drive, Reedley.

REASON

To allocate the Committee's capital budget effectively.

118. TRAFFIC LIAISON MINUTES

The minutes of the traffic liaison meeting held on 5th November, 2015 were submitted for information.

119. ENVIRONMENTAL CRIME UPDATE

The Environmental Services Manager submitted a report which informed Members of the environmental crime action for 1st October to 31st December, 2015 in the Brierfield and Reedley area, along with annual totals for 2015/16.

120. ITEMS FOR DISCUSSION

(a) Disabled Centre, back Richard Street, Brierfield

The Chairman reported that local residents had expressed concern about the large number of empty glass alcohol bottles being left in the yard of the Disabled Centre on back Richard Street, Brierfield.

RESOLVED

That the police be requested to carry out extra patrols and monitoring of the Disabled Centre on back Richard Street, Brierfield.

REASON

To address any anti-social behaviour in the area.

(b) Ghausia Centre, Brierfield

It was reported that a large amount of rubbish on a piece of land on Burnley Road, Brierfield was suspected of causing problems with damp at the Ghausia Centre, Brierfield. Members asked that

the owner be required to tidy the land.

The Principal Development Management Officer reported that the land referred to was already subject to investigation and enquiries were ongoing.

121.

OUTSTANDING ITEMS

The following item had been requested by this Committee and a report/update would be submitted to a future meeting -

- (a) Proposed introduction of a speed indicator device (03.11.15)

CHAIRMAN _____