

**MINUTES OF A MEETING OF THE  
BRIERFIELD AND REEDLEY COMMITTEE  
HELD AT BRIERFIELD TOWN HALL  
ON 10<sup>TH</sup> MAY, 2016**

*PRESENT*

*His Worship the Mayor Councillor N. Ahmed*

**Councillors**

*R. Allen  
N. Ashraf  
M. Arshad  
M. R. Arshad*

**Co-optees**

*P. V. Bates*

**Constabulary Representative**

*Inspector P. Goodall*

**Officers in attendance**

*David Walker  
Kathryn Hughes  
Tim Horsley  
Lynne Rowland*

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

*(Apologies for absence were received from Councillor Y. Iqbal.)*



**1. APPOINTMENT OF CHAIRMAN**

**RESOLVED**

That Councillor N. Ashraf be appointed Chairman of the Committee for the municipal year 2016/2017.

*Councillor N. Ashraf – Chairman (In the Chair)*

**2. APPOINTMENT OF VICE-CHAIRMAN**

**RESOLVED**

That Councillor Y. Iqbal be appointed Vice-Chairman of the Committee for the municipal year 2016/2017.

**3. APPOINTMENT OF CO-OPTEEES**

**RESOLVED**

- (1) That co-optees be appointed from Brierfield Town Council and Reedley Hallows Parish Council for the municipal year 2016/17.
- (2) That it be noted that P. V. Bates is the chosen representative of Reedley Hallows Parish Council.

**4. DECLARATION OF INTERESTS**

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

**5. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**6. MINUTES**

**RESOLVED**

That the Minutes of this Committee, at a meeting held on 29<sup>th</sup> March, 2016 be approved as a correct record and signed by the Chairman.

**7. PROGRESS REPORT**

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

**8. COMMUNITY SAFETY ISSUES AND POLICE MATTERS**

A discussion was held regarding problems with speeding traffic in Brierfield and Reedley. This had been a problem in the area for a long time and addressing the issue had now become a priority for the local police. Inspector Goodall made reference to a recent fatality and a further accident where the victim had sustained serious injuries.

He explained that in previous years an attempt to educate people on the dangers of speeding had had limited success. There was a need to be pro-active and at present a zero tolerance approach was being taken. An action plan was in place and any suggestions on how to tackle this issue were welcomed.

The benefits of holding public meetings and roadshows were discussed and it was acknowledged that it was important for Members to participate in local campaigns. Councillor M. Arshad suggested that the local Imam be asked to give a talk on this particular topic and agreed to make arrangements for this in consultation with Inspector Goodall.

The Committee was reminded that funding had been put aside for the installation of two speed indicator devices. It was suggested that a meeting be held with Lancashire County Council Highways and a police traffic officer to agree their locations.

Members also raised the issue of faded road markings, particularly 'give way' markings at Chapel Street, Stanley Street and Taylor Street, Brierfield and asked that a request be made for these to be repainted.

**9. 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 –

**13/16/0058P Full: Change of use of WC building to hot food takeaway (A5) including external alterations and installation of a flue at public conveniences, Colne Road, Brierfield for Mr R Patel**

*(Before the vote was taken the Planning, Building Control and Licensing Services Manager advised that should the application be refused this would represent a significant risk of costs to the Council. The matter would be referred to the Democratic and Legal Manager and subject to his agreement the decision would stand referred to the Development Management Committee.)*

**RECOMMENDATION**

That planning permission be **refused** for the following reasons –

- Road safety issues including lack of parking
- Public safety (proximity to a children's facility)

**13/16/0104P Full: Major: Amendment of house types 4-9, 11, 13, 15-31, 34-35 and relocate plot 52 of Planning Permission 13/08/0558P at Lucas Sports Ground, Colne Road, Reedley for Ribble Industrial Estates Limited**

**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: 07.117 212, 07.117 121 B, 07.117 190, 07.117 188.  
**Reason:** For the avoidance of doubt and in the interests of proper planning.
3. No part of the development hereby permitted shall be commenced until details of the proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a number of sections across the site, which shall indicate existing and proposed ground levels, together with the finished floor levels of the proposed dwellinghouses. The development shall thereafter be implemented in accordance with the approved details.  
**Reason:** To enable the Local Planning Authority to assess how the development will accommodate the varied land levels and control the final form of the development.

4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order, 1995, there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or device.  
The visibility splays to be the subject of this Condition shall be that land in front of a line drawn from a point 2.4m measured along the centre-line of the proposed minor roads from the continuation of the nearer edge of the carriageway of the main access road to points measured 25m in each direction along the nearer edge of the carriageway of the main access road, from the centre-line of the access, and shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority.

**Reason:** To ensure adequate visibility at the road junctions.

5. Before the construction work commences, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site and these facilities are to be maintained until construction is complete.

**Reason:** To avoid the possibility of the public highway being affected by the deposit of mud and/or loose material thus creating a potential hazard to road users.

6. The garages hereby permitted shall not be used for any purpose which would preclude the use for the parking of a motor car.

**Reason:** In order to ensure the provision of adequate off-street car parking, to avoid congestion of adjoining streets.

7. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the second schedule of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A,B,D,E,F of Part 1 and Class B. of Part 2 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

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

8. The landscaping scheme shall be implemented in strict accordance with the approved drawing number 140711/011/SJT.

**Reason:** To ensure that the site is properly landscaped and maintained in the interest of the visual amenity of the area.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the dwellings or completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with

others of a similar size or species, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interest of visual amenity.

10. Before a dwelling unit is occupied waste containers shall be provided on each plot.

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

11. The phasing of the proposed development shall be implemented in strict accordance with the details submitted to and agreed by the Local Planning Authority on the 23<sup>rd</sup> March, 2010 unless otherwise agreed in writing.

The sporting facilities shall be provided in their entirety prior to the occupation of the 22nd dwelling on the site.

**Reason:** To secure the proper development of the site in an orderly manner in particular the provision of the agreed sporting facilities.

12. The surface water regulation system shall be implemented in strict accordance with the details submitted to and approved by the Local Planning Authority on the 23<sup>rd</sup> March, 2010. The scheme shall be completed in accordance with the approved plans before the first dwelling is occupied.

**Reason:** To reduce the increased risk of flooding.

13. The foul and surface water systems shall be implemented in strict accordance with the details submitted to and approved by the Local Planning Authority on the 23<sup>rd</sup> March, 2010. The scheme shall be constructed and completed in accordance with the approved plans before the first dwelling is occupied.

**Reason:** To ensure a satisfactory means of drainage.

Notes:

*The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place*

*It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at [www.coal.gov.uk](http://www.coal.gov.uk)*

*Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.*

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service at [www.groundstability.com](http://www.groundstability.com)

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website [www.coal.gov.uk](http://www.coal.gov.uk)

## **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 development of housing will complement the existing permission. The style and layout of the dwellings follows that already established and subject to appropriate conditions. 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.**

**13/16/0106P Full: Major: Variation of Condition: Vary Conditions 2, 3 and 11 of Planning Permission 13/14/0020P to remove plot 52 and reposition plots 53, 54 and 55 and remove conditions 3 (Section 106) and 11 (Affordables) at Lucas Sports Ground, Colne Road, Reedley for Ribble Industrial Estates Limited**

The Planning, Building Control and Licensing Services Manager reported that justification figures requested from the agent in relation to the removal of condition 11 were still awaited.

## **RESOLVED**

That the application to vary condition 2 and remove condition 3 of planning permission 13/14/0020P be **approved** subject to the following conditions and condition 11 remain on the decision:

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: 07.117 321, 07.117 187, 07.117 189, 07.117 188 & 07.117 190.

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

3. No part of the development hereby permitted shall be commenced until details of the proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a number of sections across the site, which shall indicate existing and proposed ground levels, together with the finished floor levels of the proposed dwellinghouses. The development shall thereafter be implemented in accordance with the approved details.

**Reason:** To enable the Local Planning Authority to assess how the development will accommodate the varied land levels and control the final form of the development.

4. 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. The fencing shall be located at least 1.00 metre beyond the protected area detailed in BS 5837. 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 or hedgerows on site from being damaged during building works.

5. There shall be no direct vehicular access between the site and Reedley Drive and to that end a suitable barrier approved by the Local Planning Authority shall be erected before development commences and be permanently maintained on the highway boundary of Reedley Drive, vehicular access to the site being obtained from Colne Road.

**Reason:** To limit the number of access points to the highway network as an aid to road safety.

6. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order, 1995, there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or device.  
The visibility splays to be the subject of this Condition shall be that land in front of a line drawn from a point 2.4m measured along the centre-line of the proposed minor roads from the continuation of the nearer edge of the carriageway of the main access road to points measured 25m in each direction along the nearer edge of the carriageway of the main access road, from the centre-line of the access, and shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority.

**Reason:** To ensure adequate visibility at the road junctions.

7. Before the construction work commences, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site and these facilities are to be maintained until construction is complete.

**Reason:** To avoid the possibility of the public highway being affected by the deposit of mud and/or loose material thus creating a potential hazard to road users.

8. The Root Protection Areas for the trees along the southern boundary with Reedley Drive shall be maintained at all times and no ground works shall take place within these areas.

**Reason:** In order to ensure the protected trees are not affected by the proposed development.

9. The garages hereby permitted shall not be used for any purpose which would preclude the use for the parking of a motor car.

**Reason:** In order to ensure the provision of adequate off-street car parking, to avoid congestion of adjoining streets.

10. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the second schedule of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, D, E, F of Part 1 and Class B. of Part 2 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

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

11. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of PPS 3 or any future guidance that replaces it. The scheme shall include:

- 1) the numbers, type, tenure, and location on site of the affordable housing provision to be made which shall consist of not less than 5 housing units;
- 2) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- 3) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved);
- 4) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- 5) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

**Reason:** In order to comply with Annex B of PPS 3 and the Council's Interim Housing policy IH2.



12. The landscaping scheme shall be implemented in strict accordance with approved drawing number 140711/011/SJT.

**Reason:** To ensure that the site is properly landscaped and maintained in the interest of the visual amenity of the area.

13. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the dwellings or completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size or species, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interest of visual amenity.

14. Before a dwelling unit is occupied waste containers shall be provided on each plot.

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

15. The phasing of the proposed development shall be implemented in strict accordance with the details submitted to and agreed by the Local Planning Authority on the 23<sup>rd</sup> March, 2010 unless otherwise agreed in writing.

The sporting facilities shall be provided in their entirety prior to the occupation of the 22<sup>nd</sup> dwelling on the site.

**Reason:** To secure the proper development of the site in an orderly manner in particular the provision of the agreed sporting facilities.

16. The surface water regulation system shall be implemented in strict accordance with the details submitted to and approved by the Local Planning Authority on the 23<sup>rd</sup> March, 2010. The scheme shall be completed in accordance with the approved plans before the first dwelling is occupied.

**Reason:** To reduce the increased risk of flooding.

17. The foul and surface water systems shall be implemented in strict accordance with the details submitted to and approved by the Local Planning Authority on the 23<sup>rd</sup> March, 2010. The scheme shall be constructed and completed in accordance with the approved plans before the first dwelling is occupied.

**Reason:** To ensure a satisfactory means of drainage.

## **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 development of housing will complement the existing permission.***

***The style and layout of the dwellings is acceptable subject to appropriate conditions. 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.

**10. ENFORCEMENT/UNAUTHORISED USES**

**Enforcement Action**

The Democratic and Legal Manager submitted a report on outstanding enforcement cases in the Brierfield and Reedley area.

**11. CAPITAL PROGRAMME 2016/17**

The Neighbourhood Services Manager reported that the current balance for the Committee's Capital Programme 2016/17 was £19,778.

**12. TRAFFIC LIAISON MINUTES**

The minutes of the Traffic Liaison meeting held on 14<sup>th</sup> April, 2016 were submitted for information.

**RESOLVED**

That the problems with speeding vehicles referred to at minute 8, be referred to the Traffic Liaison Group for consideration.

**REASON**

***In the interests of highway safety.***

**13. PROBLEM SITES**

The Planning, Building Control and Licensing Services Manager reported that there were no recorded problem sites in Brierfield and Reedley.

Members were advised that, if they were aware of any site that should be considered for possible inclusion on the problem sites report, a short report on the nature and extent of the problem would be prepared for a future meeting of this Committee. It would then be for the Committee to determine whether or not to include it within the problem sites report.

A report on 27 Railway Street, Brierfield was due to be submitted to the June meeting of this Committee.

14.

## **GARAGE SITES**

Following a resolution from the Transfer of Services and Facilities to Town and Parish Councils Committee the Neighbourhood Services Manager submitted, for comment, a list of all garage sites within the boundary of this area committee. The list detailed current rental income and recommendations for the future management of each site.

### **RESOLVED**

That the tenants of the following garage sites be invited to purchase the sites prior to them being offered to the Town Council –

- Pickering Street, Brierfield
- Union Street, Brierfield

### **REASON**

*To give the tenants the opportunity to purchase the garage sites.*

15.

## **ENVIRONMENTAL CRIME UPDATE**

The Environmental Services Manager submitted a report which informed Members of the environmental crime action for 1<sup>st</sup> January to 31<sup>st</sup> March, 2016 in the Brierfield and Reedley area along with annual totals for 2015/16.

It was reported that due to the de-criminalisation of Section 46 offences under the deregulation Act 2015 the Council had temporarily suspended enforcement action against offenders until such time as clarification on the Act could be established. This suspension had affected the Services activities in relation to removing containers from the public highway and the contamination of waste streams.

The Environmental Services Manager reported that confirmation of the powers available to the Council had been received in June but the delay had affected the number of cases dealt with during the year.

16.

## **BRIERFIELD HEALTH CENTRE**

The Chairman reported on a meeting with officers of East Lancashire Medical Services (ELMS) and East Lancashire Clinical Commissioning Group (ELCCG) to discuss concerns regarding the ELMS Practice based at Brierfield Health Centre.

It was noted that there was a shortage of funds due to the running of three surgeries and an out of hours service. However, it was accepted that changes were required. Initially, a commitment had been made to improve the phone lines and to have a doctor in place every Thursday, rather than a practice nurse only.

A further meeting would be held in a few weeks' time.

**17. PARKS, RECREATION AND GREEN SPACES UPDATE**

The Neighbourhood Services Manager submitted a report which informed Members of current Parks, Recreation and Green Spaces work and upcoming plans/developments for Brierfield and Reedley.

**18. ENVIRONMENTAL VISUAL AUDITS**

The Neighbourhood Services Manager submitted a report which provided an update on the outcome of Environmental Visual Audits in Brierfield and Reedley.

It was reported that proposals to install gates to Limefield Avenue ginnel would cost in the region of £1,380 for which capital funding would be required. Members were asked to indicate whether they wished to pursue the scheme.

Reference was also made to the empty properties on Cambridge Street, Brierfield. It was noted that the owners had indicated that they were not in a position to improve the properties and that the Council did not have the resources to carry out the work.

Members also expressed concern at the condition of Sefton Street back street.

**RESOLVED**

That the Neighbourhood Services Manager be requested to –

- (1) submit a report to a future meeting of this Committee on a proposed Public Spaces Protection Order for Limefield Avenue ginnel;
- (2) investigate alternative options for the improvement of the empty properties on Cambridge Street, Brierfield;
- (3) advise the Committee on the outcome of enquiries regarding the condition of Sefton Street back street.

**REASON**

***To continue with the proactive approach to managing environmental issues in the residential areas of central Brierfield.***

**19. OUTSTANDING ITEMS**

The following items had been requested by this Committee and reports would be submitted to future meetings –

- (a) Railway Street area of Brierfield – Empty Homes Update (29.03.16)
- (b) 27 Railway Street, Brierfield (29.03.16)

CHAIRMAN \_\_\_\_\_