

**MINUTES OF A MEETING OF THE
BRIERFIELD AND REEDLEY COMMITTEE
HELD AT BRIERFIELD TOWN HALL
ON 7TH JUNE, 2016**

PRESENT

Councillor N. Ashraf – Chairman (In the Chair)

Councillors

*M. Arshad
M. R. Arshad
Y. Iqbal*

Co-optees

*A. Westwell
M. Hanif*

Constabulary Representative

Inspector P. Goodall

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 Councillors N. Ahmed and R. Allen.)



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

<i>Geoff Hook Pauline McCormick</i>	<i>16/0318/VAR Full: Major: Variation of Condition 21 (access road) of Planning Permission 13/15/0332P (Erection of 14 dwelling houses) at land behind 7-10 May Tree Close and adjacent to Briercliffe Working Men's Club, Briercliffe</i>	<i>Minute No. 24(a)</i>
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20. DECLARATION OF INTERESTS

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

21. PUBLIC QUESTION TIME

- (1) Mr C. Henry of Higher Reedley Road, Reedley reported problems with parking to the front of his property. He asked if consideration could be given to resident permit parking or alternatively, the provision of parking for residents on land at the former Marsden Cross Inn.

Reference was also made to the timing of the traffic lights at the junction with Kings Causeway. There was concern that as one light was changing to red, bringing traffic to a stop, the other was almost on green, allowing traffic to go. It was felt that this increased the potential for accidents and that a greater time delay was necessary.

It was agreed that the request to alleviate parking issues on Higher Reedley Road would be looked into. Concerns regarding the traffic lights at the Kings Causeway junction would be referred to Lancashire County Council, to be discussed at the next Traffic Liaison meeting.

- (2) Mr S. Aziz of Woodville Road, Brierfield presented a petition to request that action be taken with regard to anti-social behaviour at the multi-use games area at Woodville Road/Taylor Street, Brierfield.

It was agreed that the petition stands referred to the next meeting of the Committee pursuant to 8.3 of the Rules of Procedure at Committee meetings in the Council's constitution. Officers present advised that, in the meantime, the issues would be brought to the attention of the Council's Anti-Social Behaviour Co-ordinator with a view to carrying out a conduct test to determine if a Public Space Protection Order should be pursued.

22. MINUTES

RESOLVED

That the Minutes of this Committee, at a meeting held on 10th May, 2016 be approved as a correct record and signed by the Chairman.

23. PROGRESS REPORT

A progress report following action arising from the minutes of the last meeting was submitted for information. Members were advised that the Development Management Committee had agreed with the decision of this Committee with regard to planning application 13/16/0058P and refused the application.

Inspector Goodall also provided an update on the ongoing work being carried out to deal with speeding vehicles, as discussed at the last meeting.

24. 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 –

16/0318/VAR Full: Major: Variation of Condition 21 (Access Road) of Planning Permission 13/15/0332P (Erection of 14 dwelling houses) at land behind 7-10 May Tree Close and adjacent to Briercliffe Working Men's Club, Briercliffe for Mr Geoff Hook

The Planning, Building Control and Licensing Services Manager submitted an update report which provided details of one further response and receipt of an amended location plan.

RESOLVED

That planning permission be **approved with Condition 21 to remain as originally worded** 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: 2015/3/2B, 2015/3/3, 2015/3/3A, 2015/3/5A, 2015/3/6, 2015/3/7.

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

3. Within two weeks of the commencement of the development samples of the material and finishes to be used in the construction of the external walls and roofs development hereby permitted shall have been submitted to the Local Planning Authority for written approval. The development shall thereafter be carried out in strict accordance with the approved details.

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

4. The window openings shall be set back from the external face of the wall. The depth of reveal shall be at least 70mm.

Reason: To ensure a satisfactory appearance to the development in the interest of visual amenity.

5. 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.

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: In order to protect the health of the occupants of the new development and/or in order to prevent contamination of the controlled waters.

- 6. No part of the development shall be commenced unless and until a Construction Code-of-Practice has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:
 - a) A programme of works including phasing, hours of operation and measures for the control of traffic to and from the site, and within the site, during construction.
 - b) The areas and methods of loading and unloading of plant and materials.
 - c) The areas for the storage of plant and materials.
 - d) Methods for dust control and suppression including asbestos controls and undertaking of regular dust monitoring including when dust monitoring and dust control/suppression are to be implemented.
 - e) Details of wheel-washing facilities including location
 - f) Details, including likely vibration and noise levels at site boundaries, of the piling operations.
 - g) Measures related to construction and demolition waste management
 - h) Pollution prevention to include odour suppression, temporary drainage measures, control on re-fuelling activities and measures such as cut-off trenches to control gas migration.
 - i) Soil resource management including stock-pile management
 - j) Compliance with BS5228: Part 1 1997 to minimise noise
 - k) Measures to ensure that vehicle access of adjoining access points are not impeded.
 - l) Measures to ensure that there is no burning of waste.
 - m) Demolition Management Plan/Programme
 - n) Location and details of site compounds
 - o) Hoarding details during construction
 - p) An overall Construction Monitoring programme, to include reporting mechanisms and appropriate redress if targets/standards breached
 - q) Vibration monitoring to be carried out for the construction period.
 - r) Noise-monitoring to be carried out for the construction period.
 - s) A Construction and Demolition-Waste minimisation Strategy.
 - t) A Construction-Risks Education plan/programme
 - u) Parking area(s) for construction traffic and personnel
 - v) Routeing of construction vehicles

The Construction Code-of-Practice should be compiled in a coherent and integrated document and should be accessible to the site manager(s), all contractors and sub-contractors working on site. As a single point of reference for site environment management, the CCP should incorporate all agreed method statements, such as the Site Waste Management Plan. All works agreed as part of the plan shall be implemented during an agreed timescale and where appropriate maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate measures are in place to protect the environment during the construction.

7. 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 coal mining works which may be present on site.

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

Reason: In order to ensure the safety and stability of the proposed development.

8. No development shall commence unless and until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Those details shall include, as a minimum:
 - a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
 - b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
 - d) Flood water exceedance routes, both on and off site;
 - e) A timetable for implementation, including phasing as applicable;
 - f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
 - g) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is

the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained and that there is no flood risk on or off the site resulting from the proposed development.

9. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the drainage for the proposed development can be adequately maintained and that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

10. No development shall commence unless and until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development and to reduce the flood risk to the development as a result of inadequate maintenance.

11. No development shall commence unless and until details of the foul drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details.

This development shall be completed maintained and managed in accordance with the approved details.

Reason: To control foul water flow disposal and prevent flooding.

12. The windows in the south elevation of plot 1 and north elevation plot 5 of the development hereby permitted shall at all times be glazed only with obscure glass of a type and degree of obscurity to be first agreed in writing by the Local Planning Authority prior to its installation. Any replacement glazing shall be of an equal degree of obscurity to that which was first approved. The windows shall be hung in such a way so as to prevent the effect of obscure glazing being negated by way of opening.

Reason: To protect the privacy of the occupants of the adjacent dwellings.

13. Prior to the occupation of the relevant dwelling privacy screens of at least 1.8m in height shall be installed to the south side of the first floor balcony of plot 1 and the north side of the first floor balcony of plot 5. Details of the screens, including their level of obscurity, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The screens shall be installed in accordance with the approved details and retained at all times thereafter, any replacement screen shall be of an equal size and degree of obscurity to that which was first approved.

Reason: To protect the privacy of the occupants of the adjacent dwellings.

14. Within two weeks of the commencement of the development a detailed landscaping scheme shall have been submitted to the Local Planning Authority for written approval. The scheme shall include the following:
- a) the exact location and species of all existing trees and other planting to be retained;
 - b) all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
 - c) an outline specification for ground preparation;
 - d) all proposed boundary treatments with supporting elevations and construction details;
 - e) all proposed hard landscape elements and pavings, including layout, materials and colours;
 - f) the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

15. No dwelling hereby approved shall be occupied unless and until a scheme for the provision, management and maintenance of the public open space within the site, including a timescale for its implementation, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be fully implemented in accordance with the agreed timescale and adhered to at all times thereafter.

Reason: To ensure that the proposed development makes provision for on-site public open space.

16. Each dwelling shall not be occupied unless and until a self-cleaning bat box has been installed in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority. The bat boxes shall be retained and accessible to bats at all times thereafter.

Reason: To ensure protection of the habitat of bats and barn owls which are protected under the Wildlife & Countryside Act, 1981.

17. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: In the interest of highway safety.

18. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use and maintained thereafter.

Reason: Vehicles reversing to and from the highway are a hazard to other road users.

19. Prior to the occupation of each dwelling its driveway shall be laid-out, surfaced and available for parking vehicles. The driveways shall thereafter at all times remain unobstructed and available for parking vehicles.

Reason: To ensure adequate parking provision is made and retained.

20. The garages of the dwellings hereby permitted shall not at any time be used for any purpose which would preclude its use for the parking of a motor car.

Reason: To ensure that there is adequate off-street parking provision within the site to prevent on-street car parking that would be inimical to highway safety.

21. The access and estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any other development takes place within the site, details of which shall have previously been submitted to and approved in writing by the Local Planning Authority. The estate road shall have been completed in its entirety from the adopted section on Gorple Street up to and including the entire access road to the dwellings, including the wearing course, prior to the occupation of any of the dwelling units.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site and to ensure the estate road is completed prior to occupation.

22. The estate road shall be laid out, surfaced, sealed and completed in its entirety prior to occupation of the first unit.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

Note:

Security Recommendations - 1. Physical Security - The dwellings should be target hardened to enhanced security standards. Part 2 of Secured By Design addresses the physical security of dwellings making forced entry more difficult. Front and rear doorsets and windows should be PAS 24/2012 standards. Ground floor glazing on side and rear elevations should be laminated. 2. Plans show a 1.8m high close boarded fence arrangement across the site. In addition to this, a lockable gate should be fitted as flush with the front of the building line as possible that restricts access to the rear of the properties. 3. Front and rear doorsets should be fitted with a dusk till dawn light unit and a 13 amp non switched fused spur suitable for an alarm system. Further security advice can be obtained from the above office as this scheme progresses throughout the planning process and at www.securedbydesign.com. Public Rights of Way - Public Rights of Way must not be obstructed during the proposed development. It is the responsibility of the landowner to ensure that the necessary procedures are followed for the legal diversion of the Public Right of Way if this should be necessary. The granting of planning permission does not constitute the diversion of a Definitive Right of Way. If it is necessary for Public Rights of Way to be temporarily diverted or temporarily closed, this is the responsibility of the landowner to ensure that this is done following the appropriate legal procedures. A temporary closure will only be granted where it is the intention to re-open the right of way upon expiration of the closure on the route recorded on the Definitive Map of Public Rights of Way.

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 accords with the Local Plan Part 1: Core Strategy and National Planning Policy Framework. 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.

25. ENFORCEMENT/UNAUTHORISED USES

Enforcement Action

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

26. CAPITAL PROGRAMME 2015/16 AND 2016/17

The Neighbourhood Services Manager submitted a report which advised Members on the Committee's 2015/16 and 2016/17 capital budgets. The report included two bids for consideration.

The following late bids were also submitted –

- Resurfacing of Hardy Avenue, Brierfield - £4,500
- New lighting column at Back Commercial Street, Brierfield - £3,500
- Wall repair at Higher Reedley Road - £ 250

RESOLVED

That –

- (1) £3,000 be allocated for Brierfield Town Centre Premises Improvement Grants;
- (2) the following be funded from the highway allocation agreed at the 1st March meeting –
 - £700 for improvements to Higher Reedley Road
 - £4,500 for resurfacing of Hardy Avenue, Brierfield
- (3) a total of £3,500 be allocated to provide a new lighting column at Back Commercial Street, Brierfield, £3,000 of which be taken from the allocation for lighting, agreed at the 1st March meeting;
- (4) £250 be allocated to repair a section of collapsed wall at Higher Reedley Road, Reedley.

REASON

To ensure the most effective allocation of the Committee's capital budget.

27. PROBLEM SITES

Complaints received

The Planning, Building Control and Licensing Services Manager submitted a report on 27 Railway Street, Brierfield. The Committee was asked to consider whether to return the property to the list of problem buildings in the Brierfield and Reedley area.

RESOLVED

That 27 Railway Street, Brierfield be returned to the problem buildings list.

REASON

To ensure regular monitoring of the site.

28. RAILWAY STREET AREA OF BRIERFIELD – EMPTY HOMES UPDATE

The Housing, Health and Economic Development Services Manager submitted a report which informed the Committee on the position regarding the management of vacant houses in the Railway Street neighbourhood. Specific reference was made to numbers 6, 8, 10 and 12 Cambridge Street which were in a very poor/derelict condition after being burnt out.

RESOLVED

That the Executive be recommended to make a Compulsory Purchase Order for numbers 6, 8, 10 and 12 Cambridge Street, Brierfield.

REASON

To facilitate the demolition of the properties and improve the amenity of the area.

29. OUTSTANDING ITEMS

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

- (a) Public Space Protection Order – Limefield Avenue ginnel

CHAIRMAN _____