

**MINUTES OF A MEETING OF THE  
BRIERFIELD AND REEDLEY COMMITTEE  
HELD AT BRIERFIELD TOWN HALL  
ON 7<sup>TH</sup> AUGUST, 2018**

*PRESENT*

*Councillor P. McCormick – Chairman (In the Chair)*

**Councillors**

*N. Ahmed  
M. R. Arshad  
N. Ashraf  
Y. Iqbal*

**Co-optees**

*M. Hanif  
P. V. Bates*

**Constabulary Representative**

*Sergeant Damian Pemberton  
PC Steve Murphy*

**Officers in attendance**

*David Walker  
Alex Cameron  
Tim Horsley  
Lynne Rowland*

*Environmental Services Manager (Area Coordinator)  
Planning Officer  
Community Protection Coordinator  
Committee Administrator*

*(Apologies for absence were received from Councillor M. Arshad.)*



*The following person attended the meeting and spoke on the item indicated:*

<i>P. Baxendale</i>	<i>Items for discussion – Pothole damage claims</i>	<i>Minute No.51(b)</i>
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**41. DECLARATION OF INTERESTS**

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

**42. PUBLIC QUESTION TIME**

A neighbour of the former Marsden Cross public house reported that the scaffolding erected around the building was attracting anti-social behaviour. Youths had been climbing the structure, throwing things from it and making abusive gestures. They had also set fire to a tree at the back of the building. He asked if the scaffolding could be removed.

The Planning Officer advised that the Council had been made aware of the issue previously and the Health and Safety Executive had been contacted. He also advised that action could be taken under planning powers with regard to the visual impact/amenity, although this would not be an immediate solution.

Officers agreed to look at what options were available to address the issue and report back to a future meeting of the Committee.

**43. MINUTES**

**RESOLVED**

That the Minutes of this Committee, at a meeting held on 3<sup>rd</sup> July, 2018 be approved as a correct record and signed by the Chairman.

**44. PROGRESS REPORT**

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

Councillor Ashraf advised that fencing had now been erected around the Massey Street play area and that residents had reported a reduction in anti-social behaviour.

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

Sergeant Pemberton provided an overview of police activity over the past month which included information on the work of the Neighbourhood Policing Team.

He reported that the number of crimes recorded was comparable year on year. There had been a slight reduction in some categories in 2018, particularly with regard to anti-social behaviour.

A number of specific issues were raised by the Committee. It was agreed that these would be looked into.

**46. PLANNING APPLICATIONS**

**(a) Planning applications to be determined**

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

**18/0380/FUL Full: Erection of a single, two storey dwelling (Re-submission) at 59 Pennine Way, Brierfield (land to rear) for Miss I. Kausar**

The Planning, Building Control and Licensing Services Manager submitted an update which proposed an additional condition concerning invasive plant species. The recommendation to approve the application remained the same.

**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: Proposed Site Plan (Drawing Number – 8030 – 05C), Proposed Floor Plans (Drawing Number – 8030 – 06B – Amendment), Proposed Elevations (Drawing Number – 8030 – 07B) and Proposed Elevations 2 (Drawing Number – 8030 – 08B).

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

3. Prior to the commencement of any development on site, samples of all the external materials to be used in the construction of the roofs, walls and paving together with samples of the colour and finish of windows and doors of the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter, at all times be carried out in strict accordance with the approved materials and details.

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

4. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the Second Schedule of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D, E of Part 1 of Schedule 2 and Class A 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.

#### Part 1

- (A) No extensions shall be erected
- (B+C) No alterations to the roof of the building shall be carried out
- (D) No porches shall be erected
- (E) No outbuildings/sheds shall be erected.

#### Part 2

- (A) No gates or fences shall be erected.

**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.

5. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority.

**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.

6. Before the access is used for vehicular purposes, the part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately surfaced in a bound porous material.

**Reason:** To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

7. The dwelling hereby approved shall not be used unless and until the proposed parking spaces within the curtilage of the dwelling, including the proposed driveway to the side, has been constructed, surfaced and laid out in accordance with a scheme to be approved in writing by the Local Planning Authority. These spaces shall at all times remain unobstructed and available for parking thereafter.

**Reason:** In the interests of highway safety and to provide suitable off-street parking provision.

8. Prior to the commencement of any development on site, a scheme for the disposal of foul and surface waters shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for separate systems for foul and surface waters and be constructed and completed in accordance with the approved plans before the dwelling is occupied.

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

9. The first floor windows in the south side (rear) elevation of the dwelling hereby approved, serving the Water Closet and Bedroom 3, shall at all times be glazed only with obscure glass. Any replacement glazing shall be of an equal degree of obscurity. The window shall also be hung in such a way so as to prevent the effect of obscure glazing being negated by way of opening.

**Reason:** In order to protect and preserve privacy and amenity of the occupiers of the adjoining dwellings.

10. All existing boundary trees and shrubs shall be retained, unless shown on the approved drawings as being removed. All boundary trees and shrubs on, and immediately adjoining the site shall be protected from damage for the duration of works on the site, by the erection of protective fencing in accordance with BS 5837 : 2012. Any of the boundary trees and shrubs removed without the Local Planning Authority's consent or which die or become seriously diseased or otherwise damaged within five years following completion of the approved development, shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such a size and species and in such positions to be agreed in writing by the Local Planning Authority.

**Reason:** In order to protect the trees and shrubs on the boundary of the site that provides privacy.

11. Prior to the commencement of any development on site, a detailed Landscaping Scheme shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and 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 along with supplementary hedges to screen garden areas instead of fences;

- e. all proposed hard landscape elements and pavings, including layout, materials and colours with all existing stone setts/flags being retained;
- 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 entire approved form 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 and that appropriate replacement trees are provided on the site to compensate for those removed.

- 12. Before the house hereby approved is inhabited, full details of nesting/roosting provisions to be made for sparrows and bats, including the timing of the works, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

**Reason:** In order to replace lost nesting/roosting sites and safeguard the local ecology of the area.

- 13. No works shall take place on site, including any form of ground clearance, unless and until an Invasive Species Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details and there shall be no variation without first seeking consent from the Local Planning Authority.

**Reason:** In order to control and prevent the spread of invasive plant species from the site.

## **INFORMATIVE**

- 1. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. For the avoidance of doubt the works shall include, but not be exclusive to, the construction of the access to an appropriate standard, any alterations to the existing footways on Barkerfield Close and the re-location of any highway gullies affected. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section (Area East) on 0300 123 6780 or email [highways@lancashire.gov.uk](mailto:highways@lancashire.gov.uk), quoting the relevant planning application reference number.

## **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 proposal is acceptable in terms of design and materials and would***

***not unduly adversely impact on amenity. 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.***

**18/0418/HHO Full: Erection of two-storey extension to side (East) at 35 Clegg Street, Brierfield for Mr A. Khalid**

## **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: Proposed Roof Plan (Drawing Number 1 – Revised 6<sup>th</sup> July 2018), Proposed Floor Plans (Drawing Number 2 – Revised 6<sup>th</sup> July 2018) and Proposed Elevations Plan (Drawing Number 3 – Revised 6<sup>th</sup> July 2018).

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

3. Prior to the commencement of any development on site, samples of the external facing and roofing materials of the development shall be submitted to and approved in writing by the Local Planning Authority. 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 the visual amenity of the area.

## **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 proposal is acceptable in terms of design and materials and would not unduly adversely impact on amenity. 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.

**47. ENFORCEMENT/UNAUTHORISED USES**

**Enforcement Action**

The Head of Legal Services reported that the notice listed on last month's report relating to Monkley Stables, Robinson Lane, Brierfield had been complied with. As a result, there were no outstanding enforcement cases in the Brierfield and Reedley area.

**48. CAPITAL PROGRAMME 2018/19**

The Neighbourhood Services Manager submitted a report which advised Members on the Committee's 2018/19 capital budget.

The report included the following two bids for consideration –

- East Street Resurfacing - £2,223
- Brierfield back street lighting - £1,000

It was noted that the Committee had already contributed to the resurfacing works on East Street, Brierfield. However, further funding was required as the cost had exceeded the initial quotation.

**RESOLVED**

That –

- (1) the Neighbourhood Services Manager be asked to negotiate with the contractor carrying out works at East Street, Brierfield with regard to the additional funds requested;
- (2) subject to the result of the negotiations, further funding be allocated for the resurfacing works on East Street, Brierfield, to a maximum of £2,223 and a report on the additional works completed be submitted to a future meeting of this Committee;
- (3) £1,000 be allocated for the provision of back street lighting schemes on Tunstill Square, back Bank Street, back Rothesay Road and back Railway Terrace, Brierfield;
- (4) it be unanimously agreed that the funding for (3) above be deducted from the capital programme in the latter 6 months of the municipal year. Should the payment be completed prior to the meeting on 6<sup>th</sup> November, 2018 the appropriate adjustment be made.

**REASON**

- (1) ***As the cost has exceeded the initial quotation.***
- (2) ***To ensure the most effective allocation of the Committee's capital budget.***

**49. ENVIRONMENTAL CRIME**

The Environmental Services Manager submitted a report which informed Members of the environmental crime action for 1<sup>st</sup> April to 30<sup>th</sup> June, 2018 in the Brierfield and Reedley area along with annual totals for 2018/19.

## **50. USE OF DISPERSAL POWERS IN BRIERFIELD**

In response to a request from this Committee, the Corporate Director submitted a report for Members to consider options for a Public Spaces Protection Order (PSPO), to include the Massey Street area of Brierfield, in support of Police action to reduce the impact of anti-social behaviour on residents locally.

The proposed restricted area was based on a 150 metre radius from the centre point of the Massey Street play area.

Members were advised that a PSPO of this nature would need to be publicised by way of signage around the restricted area. The budget for this was estimated at up to £300.

Signage was deemed to be capital expenditure as the Order, if enforced, would substantially increase the use of the play area, an asset of the Town Council. The Chairman considered the need to agree the bid within the report as an urgent matter.

### **RESOLVED**

- (1) That the Policy and Resources Committee be asked to consider the introduction of a Public Spaces Protection Order, to include the Massey Street area as detailed in the report, for an initial period of twelve months.
- (2) That, if agreed, £300 be allocated from this Committee's capital programme for the provision of signage around the restricted area.
- (3) That a request be made for Heyhead Park, Brierfield to be monitored for anti-social behaviour incidents over the next three months and, if felt necessary, consideration be given to introducing a Public Spaces Protection Order in that location also.

### **REASON**

***To address the concerns of local residents that, without additional sanctions in place, Massey Street will continue to attract significant and persistent anti-social behaviour.***

## **51. ITEMS FOR DISCUSSION**

### **(a) Funding for highway repairs**

This item was discussed alongside item 51(b).

### **(b) Pothole damage claims**

Councillor Iqbal raised an issue on behalf of a local resident, who was present at the meeting.

He explained that a compensation claim of approximately £800 had been submitted to Lancashire County Council (LCC) following vehicle damage caused by potholes on Martinfields. An acknowledgment to the documents submitted had been received in March/April but nothing had been heard since. Local Councillors had attempted to contact LCC with regard to the problem, but had been unsuccessful.



**RESOLVED**

That County Councillors C. Wakeford and K. Iddon be advised of this outstanding issue and be requested to arrange for a response to be provided by the end of August, 2018.

**REASON**

*To assist the resident in resolving this outstanding issue.*

**52. BRIERFIELD TOWN CENTRE PREMISES IMPROVEMENT GRANTS**

The Housing, Health and Economic Development Services Manager reported that there were no Brierfield Town Centre Premises Improvement Grant applications for consideration at this meeting.

CHAIRMAN \_\_\_\_\_