

**MINUTES OF A MEETING OF THE  
BRIERFIELD AND REEDLEY COMMITTEE  
HELD AT BRIERFIELD TOWN HALL  
ON 2<sup>ND</sup> OCTOBER, 2018**

*PRESENT*

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

**Councillors**

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

**Co-optees**

*P. V. Bates*

**Constabulary Representative**

*Sergeant Damian Pemberton*

**Also in attendance**

*Councillor W. Blackburn*

**Officers in attendance**

*David Walker  
Kathryn Hughes  
Lynne Rowland*

*Environmental Services Manager (Area Coordinator)  
Principal Development Management Officer  
Committee Administrator*

*(Apologies for absence were received from M. Hanif (Brierfield Town Council).)*



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

<i>James Newsome Allan Nizinkiewicz Joyce Harrison Graham Hope Jean Hope Nick Jackson Stephanie Matthews Ann Simpson</i>	<i>18/0501/FUL Outline: Major: Residential development of 36 dwellings (Access only) at allotments at South West of 197 to 239 Halifax Road, Nelson</i>	<i>Minute No.70(a)</i>
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**65. DECLARATION OF INTERESTS**

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

**66. PUBLIC QUESTION TIME**

A local resident asked for a progress update with regard to the former Marsden Cross public house. He also referred to the demolition of the former Lane Ends public house and cottage and asked whether the buildings had been listed.

It was explained that the former Marsden Cross public house was currently on the Committee's list of problem buildings. The owner had been requested to secure the site and discussions were ongoing with regard to its future development. A planning application for the whole site was expected shortly.

The former Lane Ends public house and cottage had not been listed buildings.

**67. MINUTES**

**RESOLVED**

That the Minutes of this Committee, at a meeting held on 4<sup>th</sup> September, 2018 be approved as a correct record and signed by the Chairman.

**68. PROGRESS REPORT**

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

It was noted that Reedley Hallows Parish Council had sought further information with regard to funding future refills of grit bins in Reedley. The matter was to be discussed further at its November meeting.

A further update was circulated which provided a response to the issues that had been referred to Lancashire County Council (LCC).

Members were not satisfied with LCC's response to the Committee's request for Taylor Street, Brierfield to be resurfaced as, following inspection they had determined that there were currently no defects that met intervention levels. The request for resurfacing would be passed to LCC's asset team for a possible future resurfacing scheme.

**RESOLVED**

That a representative of Lancashire County Council be asked to meet with members of this Committee on site at Taylor Street, Brierfield.

**REASON**

**To highlight the defects in the road surface.**

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

Sergeant Pemberton provided an update on police matters in the Brierfield and Reedley area in the past month.

It was noted that incidents of anti-social behaviour had decreased compared to the same period last year, as had all crime. Notably, there had been no calls relating to problems in the Heyhead Park and Massey Street areas where there had been issues of concern in recent months.

Sergeant Pemberton also advised of partnership working with Lancashire Fire and Rescue in preparation for bonfire night and planned Community Roadwatch Schemes.

Members of the public were also given the opportunity to raise local community safety issues.

## **70. 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 –

#### **18/0430/FUL Full: Erection of replacement dwelling and associated car parking at 9 Ainsdale Avenue, Reedley for Mr A. Hussain**

The Planning, Building Control and Licensing Services Manager submitted an update report which advised of an amendment to a proposed condition in compliance with Government legislation introduced on 1<sup>st</sup> October, 2018.

Members were reminded of an extant planning permission on the site for the erection of two dwellings.

### **RESOLVED**

That the Planning, Building Control and Licensing Services Manager be delegated authority to **grant consent** subject to a unilateral undertaking being agreed and signed to ensure that the extant permission on the site will not be implemented; agreement to the pre-commencement conditions; and 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: Drawing No: HUSSAI/01-Dwg 06 Amended 12/9/18 and HUSSAI/01-Dwg 04a Amended 14/9/18.

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

3. Prior to any above ground development occurring samples of all the surfacing materials and external materials of the dwelling to be used in the construction of the roof, walls, boundary/retaining walls and rainwater goods 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. Prior to the first use of the dwelling hereby approved, the car parking spaces within the curtilage of the dwelling shall be surfaced and laid out in accordance with drawing HUSSAI/01-Dwg04a. These areas shall remain available for parking thereafter.

**Reason:** To ensure suitable parking provision within the site.

5. Before the dwelling hereby permitted is occupied, the access to be used for vehicular purposes extending from the highway boundary of a minimum distance of 5 metres into the site shall be appropriately paved in tarmacadam, block pavements or other approved material.

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

6. No development shall take place, including any works of clearance, until a construction code-of-practice method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) Wheel washing facilities
- v) Measures to control the emission of dust and dirt during construction
- vi) Details of working hours
- vii) Routing of delivery vehicles to/from site.

The construction code-of-practice should be compiled in a coherent and integrated document and must 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 statement. All works agreed as part of the plan shall be implemented during an agreed timescale.

**Reason:** To protect existing road users and the amenity of neighbouring residents.

7. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

**Reason:** To secure proper drainage and to manage the risk of flooding and pollution.

8. The four first floor windows on the north side elevation of the dwelling hereby permitted shall at all times be glazed only with obscure glass and be retained as such. Any replacement glazing shall be of an equal degree of obscurity. The windows 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 the privacy and amenity of the occupiers of the adjoining dwelling.

9. Prior to occupation of the proposed dwelling, full details of balcony privacy screens shall be submitted to and approved in writing by the Local Planning Authority. Such screens shall be erected before the dwelling hereby approved is first occupied and retained permanently thereafter.

**Reason:** In the interests of amenity and privacy

## **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 residential development would accord with Local Planning Policy and would be compliant with the guidance set out in the 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.***

**18/0501/FUL      Outline: Major: Residential development of 36 dwellings (Access only) at allotments South West of 197 to 239 Halifax Road, Nelson for Liberata Architects**

The Planning, Building Control and Licensing Services Manager submitted an update report which provided the comments of Lancashire County Council and additional public responses. As a result the recommendation had been revised to delegate grant consent.

*(Before the vote was taken, the Planning, Building Control and Licensing Services Manager advised that should the application be refused there would be a significant risk of costs in the event of an appeal. The matter would therefore be referred to the Head of Legal Services and subject to his agreement the decision would stand referred to the Policy and Resources Committee.)*

## **RECOMMENDATION**

That planning permission be refused for the following reasons –

- Highway safety of the new access
- Land stability
- Flooding issues
- Traffic
- School shortages
- Japanese Knotweed on site
- Limited green spaces in the area so should be protected
- Impact on landscape value
- Visual amenity

**(b) Planning appeals**

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

**71. ENFORCEMENT/UNAUTHORISED USES**

**Enforcement Action**

The Head of Legal Services reported that there were no outstanding enforcement cases in the Brierfield and Reedley area.

**72. CAPITAL PROGRAMME 2018/19**

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

As previously reported, it had been agreed at the May meeting of this Committee that no more than £8,480 (50%) could be allocated prior to the meeting on 6<sup>th</sup> November, without the unanimous approval of the Committee. To date £1,406 had been allocated leaving a balance of £7,074.

It was proposed that, at the next meeting, Members consider using this balance to fund a bid to be submitted on behalf of Councillor Ahmed.

**73. ENVIRONMENTAL BLIGHT**

The Neighbourhood Services Manager reported that there were no existing environmental blight sites in the Brierfield and Reedley area. Members were reminded of the definition of an environmental blight site and the procedure for reporting a problem site.

**74. 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 \_\_\_\_\_