

**MINUTES OF A MEETING OF THE
BRIERFIELD AND REEDLEY COMMITTEE
HELD AT BRIERFIELD COMMUNITY CENTRE
ON 8TH JANUARY, 2019**

PRESENT

Councillor N. Ashraf – Chairman (In the Chair)

Councillors

*M. Arshad
Y. Iqbal
P. McCormick*

Co-optees

*M. Hanif
P. V. Bates*

Constabulary Representative

Inspector A. Winter

Officers in attendance

*David Walker
Kathryn Hughes
Sarah Waterworth*

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

(Apologies for absence were received from Councillor N. Ahmed)



The following persons attended the meeting and spoke on the following items:

<i>Mr A. Kinder</i>	<i>18/0548/FUL Erection of two pairs of three storey semi-detached dwelling houses and formation of access from Higher Reedley Road, 30 Higher Reedley Road, Brierfield</i>	<i>Minute No.109(a)</i>
<i>Mr U. Faruque</i>	<i>18/0747/HHO Erection of two storey side and rear extension (Re-submission) at 84 Higher Reedley Road, Brierfield</i>	<i>Minute No. 109(a)</i>



104. DECLARATION OF INTERESTS

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

105. PUBLIC QUESTION TIME

There were no questions from members of the public.

106. MINUTES

RESOLVED

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

107.

PROGRESS REPORT

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

It was reported that complaints had been received from residents regarding flooding on the former Mansfield School site.

The Environmental Services Manager reported that the land belonged to Lancashire County Council (LCC). After a short discussion it was agreed that Councillor M Arshad meet with an Engineer from Pendle Council on site to discuss the matter before referring it to LCC.

108.

COMMUNITY SAFETY ISSUES AND POLICE MATTERS

Inspector Winter provided an update on staffing in the area and reported that a new Sergeant had been employed to take over from Sergeant Pemberton who had been promoted.

It was reported that on November 12th, 13th and 14th 2018 a joint operation with the DVLA had taken place targeting untaxed cars within Pendle. Inspector Winter informed the committee that over this period over 100 vehicles were either ticketed, clamped or lifted to a compound. Within the Brierfield and Reedley area 24 vehicles were clamped and 7 taken to a compound.

Inspector Winter reported on a burglary that had taken place at Lomeshaye Mill, Nelson over the Christmas period. Police were alerted by the private company that provided the CCTV's and were able to get on site along with the police dog and arrest the two males, who had been detained and awaiting trial. The males had entered the mill via the children's nursery and targeted in the region of 40 businesses in the mill also destroying toys in the nursery.

109.

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 –

18/0548/FUL Full: Erection of two pairs of three storey semi-detached dwelling houses and formation of access from Higher Reedley Road at 30 Higher Reedley Road for Mr S. Ainsworth

The Planning, Building Control and Licensing Services Manager submitted an update report as amended plans had been received as the balcony element had been removed and the doors and windows had changed on the rear elevation.

RESOLVED

That planning permission be **granted** with 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:-

AI/13/Dwg 01, AI/13/Dwg 02, AI/13/Dwg 03A, AI/13/Dwg 04A & AI/13/Dwg 05A

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

3. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with hierarchy of drainage options in national planning practice guidance. In 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.

4. 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 storage areas and methods of loading and unloading of plant and materials.
- c) The parking of vehicles of site operatives and visitors;
- d) Timing of Deliveries;
- e) Details of wheel-washing facilities including location
- f) Measures to ensure that vehicle access of adjoining access points are not impeded.
- g) Location and details of site compounds
- h) Parking area for construction traffic
- i) Routing of construction vehicles.

The Construction Code-of-practice should be compiled in an 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 would incorporate all agreed method statements, such as the Site Waste Management Plan and Demolition Method Statement. 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 phases.

5. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed road within the development have been submitted to and approved by the local planning authority. The internal road shall thereafter

be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

Reason: To ensure that the internal road serving the development is completed and thereafter maintained to an acceptable standard in the interest of residential/highway safety.

6. Prior to first occupation of any house the estate road shall be completed to at least base course level in accordance with details to be submitted and agreed.

Reason: To ensure that the internal road is constructed to an acceptable standard in the interest of highway safety.

7. 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 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.

8. Prior to any above ground development occurring samples of the external facing materials, windows, doors, garage doors and external facing materials and rain water goods to be used in the construction of the development hereby permitted (notwithstanding any details shown on previously submitted plan(s) and specifications) shall have 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.

Reason: To ensure a satisfactory form of development in the open countryside.

9. Windows and doors shall be set back from the external face of the walls of the units by at least 75mm in depth.

Reason: To ensure a satisfactory form of development.

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 as re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D, E, and F of Part 1 and Class B of Part 2 of Schedule 2 of that Order shall be carried out 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.

Reason: In order to enable the Local Planning Authority to control and future development on the site, in order to safeguard the character and visual amenity of the area and restrict any potential overlooking.

11. The car parking and turning areas shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted is occupied.

Reason: To allow for the effective use of the parking areas.

12. The development hereby permitted shall not be commenced until a detailed landscaping scheme had been submitted 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, arrangements, species, size, specifications, numbers and planting densities;
 - c) An outline specification for ground preparation;
 - d) All proposed hard landscape elements, boundary treatments including existing stone boundary wall and pavings, including layout, materials and colours;
 - e) The proposed arrangements and specification for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety 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.

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

Reason: To ensure adequate provision for the storage and disposal of waste.

Note

1. Public Rights of Way must not be obstructed during the proposed development. It is the landowner's responsibility 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, it is the landowner's responsibility to ensure that this is done following the appropriate legal procedure.

18/0747/HHO Erection of two storey side and rear extension (Re-submission) at 84 Higher Reedley Road, Brierfield for Mr Kamran Yusuf

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: Drawing No: U19-P01, U19-P02B, U19-P03D.

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

3. All the external materials to be used in the elevations and roof of the development hereby permitted shall match those of the existing building in colour, form and texture and there shall be no variation without the prior consent of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. The extension hereby approved shall not be brought into use unless and until the proposed parking spaces within the curtilage of the dwelling, including the proposed driveway to the front, has been constructed, surfaced and laid out in accordance with Drawing No. U19-P02B. These spaces shall remain available for parking thereafter.

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

5. The two first floor windows on the north side elevation of the two storey side extension hereby permitted shall at all times be glazed only with obscure glazing of a level 3 or above and shall thereafter 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.

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 extension is acceptable in terms of policy, design and amenity and highway safety. 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.

18/0824/HHO Full: Demolition of attached garage and erection of a single storey side and rear extension, alterations to the existing conservatory and insertion of first floor dormers on the North west and South East side elevations at 5 Roundwood Avenue, Burnley for Ms Ahfeen Chaudhry

The Planning, Building Control and Licensing Services Manager submitted an update report as amended plans had been received and the recommendation had been revised to approval.

RESOLVED

That planning permission be **granted** with 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: U26-P01, U26-P03A.

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

3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. The dormer windows in the south east roof slope and the bathroom and rear bedroom windows in the north west roof slope of the extension hereby approved shall at all times be glazed only in obscure glass of Pilkington Level 3 and above (or equivalent) obscurity, unless otherwise agreed in writing by the Local Planning Authority. The window shall be hung in such a way so as to prevent the effect of obscure glazing being negated by way of opening. The windows shall be maintained at all times thereafter in accordance with these requirements.

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

5. The extension hereby approved shall not be occupied unless and until parking spaces for a minimum of three cars have been laid out and surfaced in a bound pours material, unless otherwise agreed in writing by the Local Planning Authority, in accordance with the approved plan Ni. U26-P03A. The parking spaces shall at all times thereafter remain free from obstruction and available for car parking purposes.

Reason: To ensure the adequate car parking provision is maintained on-site.

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 design, amenity and highway safety. 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 or outstanding appeals.

110. ENFORCEMENT/UNAUTHORISED USES

Enforcement Action

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

111. CAPITAL PROGRAMME 2018/19

The Neighbourhood Services Manager reported that the balance of the Committee's 2018/19 Capital Programme was £14,554.

112. GENERAL FUND REVENUE BUDGET 2019/20

The Chief Finance Officer submitted a report which asked the Committee to consider its base budget for 2019/20, identify any options for budget reductions and pass on any comments to the Policy and Resources Committee.

RESOLVED

That the report be noted.

113. PROBLEM SITES

The Planning, Building Control and Licensing Services Manager submitted a report on problem sites in Brierfield and Reedley.

114. ENVIRONMENTAL BLIGHT

The Neighbourhood Services Manager reported that there were no existing environmental blight sites and no new sites had been put forward.

115. GRIT BINS

At the Policy and Resources Committee meeting on 18th December, this committee's request for a supplementary estimate to fund refills of the 30 red grit bins located in Brierfield and Reedley was referred back to this committee for consideration.

The committee was advised that once set up they may wish to consider submitting a bid to the newly established Community Investment Fund (CIF). The CIF is a fund of £100,000 which is to be allocated equally to each Borough Councillor. All applications to the Fund are to be ratified by the relevant Area Committee.

116. 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 _____