

**MINUTES OF A MEETING OF THE
BRIERFIELD AND REEDLEY COMMITTEE
HELD AT BRIERFIELD COMMUNITY CENTRE
ON 5TH FEBRUARY, 2019**

PRESENT

Councillor N. Ashraf – Chairman (In the Chair)

Councillors

*N. Ahmed
M. Arshad
M. R. Arshad
Y. Iqbal
P. McCormick*

Co-optees

P. V. Bates

Constabulary Representative

*Sergeant Scott Boast
PC Andrew Sarchet*

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).)



117. DECLARATION OF INTERESTS

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

118. PUBLIC QUESTION TIME

- (1) A report was made, on behalf of a resident of Walverden Road, Brierfield whose garden backed on to Edge End. It was stated that a large hole had appeared behind the garden which was full of water. The resident's own garden at Walverden Road was constantly waterlogged, particularly under the shed and down into the house. The problems had been reported to the Council and to United Utilities.

It was agreed to raise the issue with the Council's Drainage Engineer and report back to the next meeting.

- (2) Reedley Parish Councillor Carole Johnson raised a number of concerns, on behalf of local residents, with regard to Barden Lane Stables. It was felt that there was a breach of planning permission with regard to living accommodation on site; the number of stables; the additional structures; the operating hours; and the activities taking place. These activities appeared to include a dog breeding business; security dog business; and paintballing events.

There was also an issue of the obstruction of Public Footpath 21 which had been blocked from Barden Lane to the canal; and the overnight parking of between 3 and 6 cars and 1 and 4 commercial vehicles on a car park with poor access.

It was reported that the issues had been raised with the Council on several occasions, the most recent being two weeks ago.

The Principal Development Management Officer confirmed that the Planning Department was aware of the issues and visits to the site had been made. An update would be provided directly to Parish Councillor Johnson.

- (3) A resident of Clegg Street, Brierfield reported an issue with noise from a neighbouring property that had been a problem for 9 months. To illustrate, the resident played a recording of the noise coming from the property. She stated that the incidents had been reported to the Council and that she was advised that diary sheets would be sent to her to enable her to keep a record of the dates and times of the noise nuisance, but these had not been received.

It was agreed to investigate the complaint further and respond directly to the resident.

119. MINUTES

RESOLVED

That the Minutes of this Committee, at a meeting held on 8th January, 2019 be approved as a correct record and signed by the Chairman.

120. PROGRESS REPORT

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

Cllr M. Arshad advised that he was due to meet a Pendle Council Engineer on the site of the former Mansfield School on Thursday of this week, following which a report would be made to Lancashire County Council.

121. COMMUNITY SAFETY ISSUES AND POLICE MATTERS

The Chairman welcomed Sergeant Scott Boast, who had replaced Sergeant Pemberton following his recent promotion, and PC Andrew Sarchet, the area's new Community Beat Manager, to the meeting. The Officers introduced themselves to the Committee, provided a brief overview of the new local policing plan and answered any questions.

In response to a question from the Chairman, Sergeant Boast agreed to provide him with an update on investigations into the recent firework related anti-social behaviour, aimed at the local McColl's store.

122. 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 –

18/0697/LBC Listed Building Consent: Installation of grilles to 3 no. ground floor windows at Town Hall, Colne Road, Brierfield for Brierfield Town Council

The Planning, Building Control and Licensing Services Manager submitted an update which reported receipt of amended plans. The initial proposal was for the installation of grilles to 7 no. ground floor windows at Town Hall, Colne Road, Brierfield. The amended plans removed the four proposed grilles to the front (western) elevation. The Committee was therefore asked to determine the application as set out above. The recommendation to approve remained the same.

RESOLVED

That planning permission be **granted** subject to the following conditions –

1. The works approved shall be begun before the expiration of three years from the date of this consent. No later than three days after works first begin on site, written notice shall be given to the Local Planning Authority of the date on which works are first commenced.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to ensure the Local Planning Authority is informed of the commencement of the first works on the site.

2. The works hereby approved shall not be carried out except in complete accordance with the details shown on the submitted plans:

A18-09/01, A18-09/02, A18/09/03, A18-09/04, A18/09/04b, A18-09/07v2 & A18-09/08v2.

Reason: For the avoidance of doubt.

REASON

In accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been made to the desirability of preserving the special historic or architectural interest of the building. The proposal does not materially affect the special historic or architectural interest of the Grade II Listed Building and as such accords with local and national policy requirements.

18/0822/HHO Full: Erection of two storey extension to side (South), part single, part double storey extension to rear and front canopy (Re-submission) at 11a Edge End Avenue, Brierfield for Mr Rashid Iqbal

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 strict accordance with the following approved plans: Proposed Site Plan, Floor Plans and Elevations (Drawing Number E1 & P3A – Amendment – Submitted 5th December 2018).

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

3. The external materials to be used for the walls and roof of the extension hereby approved shall match those of the existing house in terms of type, size, form, texture and colour and there shall be no variation without the prior written consent of the Local Planning Authority.

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

4. Before the driveway hereby approved is used for the parking of vehicles, the entire driveway area 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.

5. Prior to first use of the extension hereby approved, the window on the side (south) elevation shall at all times be fitted with obscured glazing with a level of obscurity of Level 3 or above, unless otherwise agreed in writing by the Local Planning Authority which shall thereafter be retained in perpetuity. 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 effects of obscure glazing being negated by way of opening.

Reason: In order to protect the privacy of the occupiers of adjacent property and prevent overlooking.

Informative

1. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 (Vehicle crossings over footways and verges) Lancashire County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Therefore, before any works can start, the applicant must complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicular crossings at <http://www.lancashire.gov.uk/roads-parking-and-travel/roads/vehicle-crossings.aspx>.

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. Subject to appropriate conditions the proposal is acceptable in terms of the design and it would not adversely impact on residential 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.

18/0832/HHO Full: Alterations to roof from a hipped to a gable pitch, erection of dormers to front and rear and alterations to front to form parking at 294 Kings Causeway, Brierfield for Mr Muhammad Arshad

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 strict accordance with the following approved plans: Proposed Floor Plans (Drawing Number 1) and Proposed Site Plan, Roof Plan and Elevations (Drawing Number 2 - Revision A - Received 17th January 2019).

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

3. Prior to the commencement of any above ground works on site, samples of the concrete tiles to be used to clad the face and cheeks of the roof dormers hereby approved, 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 material.

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

4. Before the driveway hereby approved is used for the parking of vehicles, the entire driveway area 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.

INFORMATIVE

This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 (Vehicle crossings over footways and verges) Lancashire County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Therefore, before any works can start, the applicant must complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicular crossings at;

<http://www.lancashire.gov.uk/roads-parking-and-travel/roads/vehicle-crossings.aspx>

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. Subject to appropriate conditions 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 or outstanding appeals.

123. ENFORCEMENT/UNAUTHORISED USES

Enforcement Action

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

124. CAPITAL PROGRAMME 2018/19

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

125. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report which informed Members of the environmental crime action for 1st October to 31st December, 2018 in the Brierfield and Reedley area along with annual totals for 2018/19.

He also advised of a trial 12 month partnership arrangement with District Enforcement, to deal with the enforcement of littering and dog fouling. A team of enforcers would start work in Pendle on 18th February, 2019.

The Committee welcomed this information as there were ongoing problems with littering and dog fouling in the area. Particular reference was made to the grassed area at the top of Bank Street, Brierfield where owners were failing to clear up after their dogs.

It was suggested that a sign be erected to warn people of the consequences of not clearing up after their animals.

126. COMMUNITY INVESTMENT FUND

(a) Community Investment Fund 2018/19

The Chief Financial Officer submitted a report which advised of the budget allocated to each Member from the 2018/19 Community Investment Fund and the process to incur expenditure.

Members were advised that all expenditure had to adhere to the Council's Financial Regulations and Contract Procedure Rules where applicable and only fund projects that incurred one off costs. Expenditure that resulted in an ongoing financial commitment to the authority would not be approved.

(b) Bids for consideration

A bid to the Community Investment Fund 2018/19 for the provision, maintenance and refilling of 30 red grit bins in the Brierfield and Reedley area was submitted for consideration.

RESOLVED

That consideration of this item be deferred to the next meeting of the Committee.

127. BRIERFIELD TOWN CENTRE PREMISES IMPROVEMENT GRANTS

The Housing, Health and Economic Development Services Manager submitted details of a grant application under the Brierfield Premises Improvement Grant Scheme for improvements to 18 Burnley Road, Brierfield, subject to planning permission (if required).

It was noted that any grant would need to be allocated from the Committee's capital programme. As the Committee had spent less than 50% of the capital budget in the first six months (as referred to at Minute 72 (02.10.18)), leaving a balance of £7,074, it had been agreed that this remain for use by the Conservative Group. The remaining balance of £7,480 was for use by the Labour Group.

RESOLVED

That –

- (1) a total grant of £1,952 be awarded for improvements to 18 Burnley Road, Brierfield, subject to the appropriate planning permission being in place;
- (2) half this award (£976) be deducted from the budget of the Conservative Group and half from the budget of the Labour Group.

REASON

To allocate the Committee's capital budget effectively and allow for the improvement of 18 Burnley Road, Brierfield.

CHAIRMAN _____