

**MINUTES OF A MEETING OF THE  
BRIERFIELD AND REEDLEY COMMITTEE  
HELD AT BRIERFIELD TOWN HALL  
ON 7<sup>TH</sup> MAY, 2019**

*PRESENT*

**Councillors**

*M. Arshad  
N. Ashraf  
M. Hanif  
Y. Iqbal  
Q. Shazad*

**Co-optees**

*P. McCormick*

**Constabulary Representative**

*PC Andrew Sarchet*

**Officers in attendance**

*Philip Mousdale  
Wayne Forrest  
Kathryn Hughes  
Lynne Rowland*

*Corporate Director  
Housing Needs Manager (Area Coordinator)  
Principal Development Management Officer  
Committee Administrator*



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

<i>Andrew Booth</i>	<i>18/0793/FUL Full: Major: Erection of 17 No. dwelling houses and associated works at land behind 7-10 May Tree Close and adjacent to Briercliffe Working Men's Club, May Tree Close, Briercliffe</i>	<i>Minute No.9(a)</i>
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**1. APPOINTMENT OF CHAIRMAN**

**RESOLVED**

That Councillor N. Ashraf be appointed Chairman of the Committee for the municipal year 2019/20.

*Councillor N. Ashraf – Chairman (in the Chair)*

**2. APPOINTMENT OF VICE-CHAIRMAN**

**RESOLVED**

That Councillor Y. Iqbal be appointed Vice-Chairman of the Committee for the municipal year 2019/20.

**3. APPOINTMENT OF CO-OPTEEES**

**RESOLVED**

That Brierfield Town Council and Reedley Hallows Parish Council each be invited to appoint a

representative of their Council as co-optee on to this Committee for the municipal year 2019/20.

**4. DECLARATION OF INTERESTS**

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

**5. PUBLIC QUESTION TIME**

Residents from the Massey Street area of Brierfield attended the meeting to report a recurrence of the serious anti-social behaviour issues in the vicinity of the play area.

It was stated that there had been threats of violence and that an assault had taken place. It was also reported that a 'fighting dog' had been let loose in the play area.

Incidents continued to be reported to the police.

It was noted that there was a Public Spaces Protection Order (PSPO) in place and questions were asked as to how effective this was.

It was recognised that lack of police resources meant that an immediate response could not be guaranteed. However, the concerns of the residents were acknowledged and PC Sarchet agreed to raise the matter with the Police Inspector and request more patrols in the area.

The Committee also asked that a meeting be arranged with residents, Members and the local police.

**6. MINUTES**

**RESOLVED**

- (1) That the Minutes of this Committee, at a meeting held on 2<sup>nd</sup> April, 2019 be approved as a correct record and signed by the Chairman.
- (2) That resolution (2) of minute 147 be rescinded.

**REASON**

***Due to the change in political composition of the Committee since the decision was taken.***

**7. PROGRESS REPORT**

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

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

PC Sarchet reported on local Operations that continued to take place. These included joint working with Trading Standards with regard to counterfeit cigarettes and tobacco; and the monitoring of speeding vehicles on Halifax Road, Brierfield.

**9. PLANNING APPLICATIONS**

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

The Planning, Economic Development and Regulatory Services Manager submitted a report of the following planning applications to be determined –

**18/0793/FUL Full: Major: Erection of 17 No. dwelling houses and associated works at land behind 7-10 May Tree Close and adjacent to Briercliffe Working Men's Club, May Tree Close, Briercliffe for Calico Homes**

The Planning, Economic Development and Regulatory Services Manager submitted an update report which advised of one additional comment and a request from the agent for a number of conditions to be amended, the details of which were provided in the report. It was recommended that the application be approved subject to revised conditions being agreed or alternatively, the decision be delegated to the Planning, Economic Development and Regulatory Services Manager.

**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:

3027 100, 3027 102, 3027 105J, 3027 108C, 3027 117, SHT 120, SHT 118, SHT 121, SHT110C, 3027 SO 106, FD03, FD04, FD13, MTC-AJP-XX-00-DR-C-1010 P1, MTC-AJP-XX-00-DR-C-1000 P5, MTC-AJP-XX-00-DR-C-1001 P2, MTC-AJP-XX-00-DR-C-1040 P3, MTC-AJP-XX-00-DR-C-1045 P2, MTC-AJP-XX-00-DR-C-1400 P4, MTC-AJP-XX-00-DR-C-1410 P2, MTC-AJP-XX-00-DR-C-1415 P3, MTC-AJP-XX-00-DR-C-1500 P3 & MTC-AJP-ZZ-00-DR-S-2000 P3.

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

3. Prior to any above ground works being carried out on the development, samples of the material and finishes to be used in the construction of the external walls and roofs including canopy 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. 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.
  - e) Details of wheel-washing facilities including location
  - g) Measures related to construction waste management
  - k) Measures to ensure that vehicle access of adjoining access points are not impeded.
  - n) Location and details of site compounds
  - o) Hoarding details during construction
  - u) Parking area(s) for construction traffic and personnel
  - v) Routing 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.

6. All of the work set out in the Remediation and Enabling Works Strategy E3P Report: 11-417-R2 Issued July 2018 including the method, standards and timing for the subsequent remediation of contamination present on site shall be undertaken 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.

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.

7. Prior to the commencement of development a method statement which sets out in the detail the method, standards and timing for the coal mining investigation and subsequent remediation of an coal mining works which may be present on site shall have been submitted to and agreed in writing by the Local Planning Authority.

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 until final 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 and 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), 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 flood levels in AOD;

- b) The drainage strategy should demonstrate that post development surface water run-off from the application site will not exceed 5 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed;

- c) A site plan showing any surface water catchment areas within the site (i.e. areas that will contribute to the proposed surface water drainage network).

- d) A timetable for implementation, including phasing as applicable.

- e) Details of water quality controls, where applicable.

- f) Final details of how the surface water drainage system will be managed and maintenance over the lifetime of the development.

The scheme shall be implemented in accordance with the approved details prior to first occupation of the approved development 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, to ensure there is no flood risk on or off the site resulting from the proposed development, to ensure that water quality is not detrimentally impacted by the development

proposal and to reduce the flood risk to the development as a result of inadequate maintenance.

9. No development shall commence until details of how surface water and pollution prevention shall be managed during each construction phase have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

10. Foul water 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.

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

11. Prior to any of the above ground works being carried out a report which fully details the acoustic mitigation measures set out in the Noise Impact Assessment ref. 11-987-R3 dated March, 2019 shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented in strict accordance with the approved details prior to occupation of each dwellinghouse and shall remain as such in perpetuity.

**Reason:** To ensure that the development has adequate mitigation against potential noise nuisance from the adjacent Working Men's Club.

12. Notwithstanding the provisions of Article 3 and parts 1 and 2 of the second Schedule of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B & C of Part 1 of Schedule 2 of that Order shall be carried out on plots 1 and 17 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

**Reason:** To enable the Local Planning Authority to control any future development in order to ensure that acoustic mitigation to control noise levels on the site are at acceptable levels.

13. Notwithstanding the submitted plans prior to the occupation of any dwellinghouse a detailed landscaping scheme shall have been submitted to the Local Planning Authority for written approval. The scheme shall include the following:
- the exact location and species of all existing trees and other planting to be retained;
  - all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
  - an outline specification for ground preparation;
  - 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 and open space provision is adequately landscaped so as to integrate with its surroundings.

14. No dwelling hereby approved shall be occupied unless and until a scheme for the provision, management and maintenance of the 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.

15. No ground clearance, ground works or removal of shrubs, trees or hedges shall be undertaken on the site during the months of March to August unless a bird nesting survey has been first undertaken by an appropriate qualified person that indicates that there are no breeding birds on the site.

**Reason:** To ensure the protection of breeding birds.

16. 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. Notwithstanding the submitted plans details of the full engineering, drainage, street lighting and construction of the internal estate road and the pedestrian link, shall have been submitted to and approved by the Local Planning Authority prior to these works commencing.

The estate road shall have been completed in its entirety from the adopted section upto 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.

17. 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.

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 first 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. Prior to the first occupation a scheme for electric vehicle charging points or an appropriate alternative to be submitted and agreed in writing with the Local Planning Authority.

**Reason:** To ensure that the development provides for sustainable modes of travel.

21. Prior to the first occupation each dwelling shall have waste containers provided within each plot.

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

**Note:**

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 subject to appropriate conditions. 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.***

- 19/0139/FUL Full: Erection of a two storey detached dwelling house with two storey rear projection; roof dormers to front and rear; raised patio to rear and off-street parking at garage site north west of 24 Park Lane, Brierfield for Mrs S. Malik

**RESOLVED**



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

**REASON**

***To allow for further discussions with the applicant.***

**(b) Planning appeals**

The Planning, Economic Development and Regulatory Services Manager reported that, as at today's date there were no new or outstanding appeals.

**10. ENFORCEMENT/UNAUTHORISED USES**

**Enforcement Action**

The Head of Legal Services submitted a report, for information, which gave the up to date position on prosecutions.

**11. CAPITAL PROGRAMME 2019/20**

The Housing, Health and Engineering Services Manager reported that the balance of the Committee's 2019/20 capital programme was £21,062. This included the balance carried forward from 2018/19.

**12. COMMUNITY INVESTMENT FUND 2018/19**

Members noted the allocations made to date under the Community Investment Fund together with details on the following bid which had been verified prior to 2<sup>nd</sup> May, 2019 –

- Councillor P. McCormick - £1,040 as a contribution towards the surfacing of Waverley Close, Brierfield

**RESOLVED**

That the uncommitted balance of £2,040 allocated to former Brierfield Ward Councillor Nawaz Ahmed, be reallocated to Brierfield Ward Councillor Qamar Shazad for spend in line with the Community Investment Fund criteria.

**REASON**

***To continue to benefit the residents of the area.***

**13. TRAFFIC LIAISON MINUTES**

The minutes of the Traffic Liaison meeting held on 28<sup>th</sup> February, 2019 were submitted for information.

It was noted that this Committee's request for the Give Way road markings to be refreshed at the Arthur Street and Stanley Street junctions with Chapel Street, Brierfield and for the erection of

warning signs prior to the junction had not been referenced in the minutes. There was concern that this matter had been overlooked.

**RESOLVED**

That a request be made for this matter to be considered at the next Traffic Liaison meeting.

**REASON**

*In the interests of highway safety.*

**14. PROBLEM SITES**

The Planning, Economic Development and Regulatory Services Manager submitted a report on problem sites in Brierfield and Reedley.

A verbal update was provided with regard to the former Marsden Cross Public House. It was noted that promised works, which had led to the cancellation of a Section 215 notice, had not been carried out as agreed.

**RESOLVED**

That the Head of Legal Services be authorised to serve a Section 215 Notice in respect of the former Marsden Cross Public House to tidy and secure the site.

**REASON**

*In the interests of public safety and amenity.*

**15. ENVIRONMENTAL CRIME**

The Environmental Services Manager submitted a report which informed Members of the environmental crime action for 1<sup>st</sup> January to 31<sup>st</sup> March, 2019 in the Brierfield and Reedley area along with annual totals for 2018/19.

**16. BRIERFIELD STRATEGIC GROUP**

The Chief Executive submitted a report which advised the Committee of the work undertaken by the Brierfield Strategic Group. The Group had been formed in 2018 following concerns over anti-social behaviour in Brierfield and had met quarterly from May 2018 to April 2019.

The report included an action plan which highlighted the multi-agency approach that had been taken to address the issues.

It was noted that, as the work was now being progressed by various groups and agencies it had been agreed that the Brierfield Strategic Group would no longer meet.

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

The Housing, Health and Engineering Services Manager reported that there were no Brierfield

Brierfield and Reedley Committee (07.05.2019)

Town Centre Premises Improvement Grant applications for consideration at this meeting.

CHAIRMAN \_\_\_\_\_