

**MINUTES OF A MEETING OF THE  
BRIERFIELD AND REEDLEY COMMITTEE  
HELD AT BRIERFIELD TOWN HALL  
ON 4<sup>TH</sup> JUNE, 2019**

*PRESENT*

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

**Councillors**

*M. Hanif  
Y. Iqbal  
Q. Shazad*

**Co-optees**

*P. McCormick*

**Officers in attendance**

*Wayne Forrest  
Kathryn Hughes  
Lynne Rowland*

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

*(Apologies for absence were received from Councillor M. R. Arshad, S. Ahmed (Brierfield Town Council) and Inspector Winter.)*



**18. DECLARATION OF INTERESTS**

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

**19. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**20. MINUTES**

**RESOLVED**

That the Minutes of this Committee, at a meeting held on 7<sup>th</sup> May, 2019 be approved as a correct record and signed by the Chairman.

**21. PROGRESS REPORT**

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

The Chairman reported on a site meeting that had taken place with the police, residents and Council officers at the Massey Street play area, Brierfield. Discussions with those present had established that incidents of anti-social behaviour had decreased and that there had been an increased police presence in the area.

Following a report of safety concerns in relation to the fencing and minor issues with the climbing frame and rocker, the Council's Playground Inspector had inspected the playground on the day of

the meeting. The minor action required with regard to a section of the fencing and the rocker had been carried out. The other elements had been identified during the annual inspection and had been deemed as low risk. However, these continued to be monitored as part of the weekly safety inspection.

Costings to install a permanent CCTV camera in the area were to be considered by the Town Council.

## **22. COMMUNITY SAFETY ISSUES AND POLICE MATTERS**

Members of the public were given the opportunity to raise local community safety issues with the Committee. No issues were raised.

## **23. 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 –

**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**

The Planning, Economic Development and Regulatory Services Manager reported that, following this item being deferred at the last meeting, no amended plans had been received.

### **RESOLVED**

That planning permission be **refused** for the following reasons –

- 1.** The proposed development would result in an inappropriately positioned residential unit in close proximity to the existing dwellinghouses in particular No.'s 19 and 21 Burton Gardens. The poor design and layout would result in overlooking and loss of privacy for the residents of the existing properties and this would result in unacceptable harm to their privacy and residential amenity. As such the development would fail to accord with Policies ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011-2030) and the Design Principles Supplementary Planning Document.
- 2.** The proposed dwellinghouse would represent poor design in terms of its siting, scale and massing. The proximity of the building, hard surfaced patio and parking areas fails to provide adequate outside amenity space for the proposed dwellinghouse with limited scope for planting and screening to an acceptable degree in particular along the southern and western boundaries and therefore fails to accord with Policies ENV2 and LIV5 of the Pendle Local Plan Part 1: Core Strategy (2011-2030), the Design Principles Supplementary Planning Document and Section 12 of the National Planning Policy Framework.

**19/0253/OUT Outline: Erection of 2 detached dwellings (Access only) (Reg 4) at land to the south east of 71 Mansfield Crescent, Brierfield for Pendle Borough Council**

**RESOLVED**

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

1. An application for approval of the reserved matters (namely the layout, appearance, landscaping and scale of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of the approval of the last reserved matters.

**Reason:** This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance, layout, access, scale and landscaping (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

**Reason:** In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: A1904-LIB-XX-XX-XX-AL 90-002 RevB and A19-04-LIB-XX-XX-XX-AL 90-003.

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

4. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-

(a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and

(b) A comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority.

All agreed remediation measures shall thereafter be carried out 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.

**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.

5. A scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. 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.

6. Prior to the commencement of development samples of the materials to be used in the construction of the development hereby permitted (notwithstanding any details shown on previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

7. No part of the development shall be commenced unless and until a Construction Code-of-Practice method statement 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 hours of operation and measures for the control of traffic to and from the site including routing of any HGV's, 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.
  - d) Location and details of site compounds
  - e) Parking area(s) for construction traffic and personnel
  - f) Erection and maintenance of security hoarding
  - g) Wheel washing facilities
  - h) Measures to control emission of dust and dirt during construction.

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 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 phase(s).

8. No part of the development hereby approved shall commence unless and until a scheme for the construction of the site accesses have been submitted to, and approved in writing by the Local Planning Authority.

**Reason:** To ensure that the final details of the highway scheme are acceptable before work commences on site.

9. Prior to first occupation each dwelling shall have an electric vehicle charging point.

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

10. 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.

## INFORMATIVE

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 works shall include, but not be exclusive to, the construction of the accesses to an appropriate standard, including a minimum width of 3.2m, extension of the adopted footway outside Plot 1, and re-location of a highway gully. 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 by email on [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk), in the first instance to ascertain the details of such an agreement and the information to be provided, 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 proposed housing development accords with the Local Plan and National Planning Policy 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.***

## (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.

## 24. ENFORCEMENT/UNAUTHORISED USES

### Enforcement Action

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

on prosecutions.

**25. CAPITAL PROGRAMME 2019/20**

The Housing, Health and Engineering Services Manager submitted a report which advised Members on the Committee's 2019/20 capital budget.

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

Members noted the allocations made to date under the Community Investment Fund.

**27 ITEMS FOR DISCUSSION**

**(a) Taylor Street and Stanley Street, Brierfield – resurfacing**

It was reported that, despite a number of requests from this Committee, Lancashire County Council (LCC) had not carried out resurfacing works to Taylor Street, Brierfield. In addition, a request for a representative of LCC to meet with Members on site had not been accepted.

**RESOLVED**

That the Lancashire County Council Cabinet Member for Highways and County Councillor Iqbal be asked to meet with members of this Committee on site at Taylor Street, Brierfield.

**REASON**

*To highlight the defects in the road surface.*

**(b) Humphrey Street, Brierfield – Traffic calming**

Following a recent accident, Members felt that traffic calming measures were needed on Humphrey Street, Brierfield.

**RESOLVED**

That Lancashire County Council be asked to consider creating a speed hump on Humphrey Street, Brierfield.

**REASON**

*In the interests of highway safety.*

**(c) Chapel Street, Brierfield – Road markings**

At the last meeting of this Committee Members were concerned that a request for the Give Way road markings to be refreshed at the Arthur Street and Stanley Street junctions with Chapel Street, Brierfield had not been discussed at the Traffic Liaison meeting.

Since that meeting, LCC had advised that it would inspect the area and consider the need for road marking recovery works.

**RESOLVED**

That LCC be asked to report back on the site visit and advise the Committee of action to be taken.

**REASON**

*In the interests of highway safety.*

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

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

CHAIRMAN \_\_\_\_\_