

**MINUTES OF A MEETING OF THE  
BRIERFIELD AND REEDLEY COMMITTEE  
HELD AT BRIERFIELD TOWN HALL  
ON 8<sup>TH</sup> OCTOBER, 2019**

*PRESENT*

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

**Councillors**

*M. Arshad  
M. R. Arshad  
M. Hanif  
Y. Iqbal*

**Co-optees**

*P. McCormick*

**Constabulary Representative**

*PCSO Dan Richards*

**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 Q. Shazad and S. Ahmed (Brierfield Town Council).)*



**73. DECLARATION OF INTERESTS**

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

**74. PUBLIC QUESTION TIME**

- A resident of Colne Road, Brierfield made reference to construction work taking place to the rear of his property. He had recently moved into the property and stated that the new house that was being built to the rear was causing a lot of disturbance in his garden, blocking sunlight and affecting his privacy.

He asked whether anything could be done to protect his privacy and requested that checks be made to ensure the work was being carried out in accordance with the approved plans.

The Principal Development Management Officer advised that the Council's Enforcement Officer had looked into this matter and a case was ongoing. If it was found that the dwelling had not been built in accordance with the approved plans then action could be taken. However the existing permission could not be altered.

A report would be submitted to the next meeting of this Committee.

- A number of residents from Cross Street, Brierfield presented a petition objecting to the opening of a teenage care home at 25-27 Cross Street, Brierfield. The petition and those present made reference to an existing care home on the same street from which there had

been problems of nuisance and anti-social behaviour. There was concern that an additional care home would create further problems.

The local residents and proprietors of the existing care home stated that they had not received notification of the planning application and had therefore not been given the opportunity to comment. The application had been approved in July of this year.

In anticipation of potential conflict between the residents of the two separate care homes and increased anti-social behaviour, Members agreed that an urgent meeting be arranged with interested parties.

In the meantime, the Principal Development Management Officer agreed to check the details of the consultation.

**75. MINUTES**

**RESOLVED**

That the Minutes of this Committee, at a meeting held on 3<sup>rd</sup> September, 2019 be approved as a correct record and signed by the Chairman.

**76. PROGRESS REPORT**

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

PCSO Richards reported on the increase in police activity since the launch of the new neighbourhood task force which consisted of four dedicated officers for Pendle. This included additional work around traffic issues. There had also been a significant seizure of cannabis plants, with a street value in excess of £20k, from a property in Brierfield.

In response to a question from the Committee he advised Members that plans were in place to increase police numbers on bonfire night.

**77. PLANNING APPLICATIONS**

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

**19/0594/FUL Full: Change of use from domestic garage (Use Class C3) to dog grooming parlour (Sui Generis) with associated external alterations at 8 Clarkson Close, Reedley for Mikayla Punter**

**RESOLVED**

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

1. The proposed development would result in an increased demand for car parking which cannot be sufficiently provided on plot. This would result in on street parking and congestion in a residential area. As such the development would be detrimental to highway safety,

contrary to Policy ENV4 of the Local Plan Part 1 and Saved Policy 31 of the Replacement Pendle Local Plan.

2. The scale and nature of the proposed commercial use would result in activity at a level that is not appropriate within this residential setting and would cause significant detrimental harm to the residential amenity of occupants at neighbouring properties. As such the development fails to comply with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy and Paragraph 127 of the NPPF.

**19/0599/HHO Full: Erection of a single storey rear extension at 66 Clarkson Close, Reedley for Mr and Mrs Ahmed**

**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: Existing Site Plan, Proposed Site Plan and Location Plan April 2019 and Existing and Proposed Elevations and Layout April 2019.

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

3. All the external materials to be used in 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. Unless approved in writing by the Local Planning Authority no ground clearance, demolition, changes of level or development or development-related work shall commence until protective fencing, in full accordance with BS 5837 : 2012 has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. Within the areas so fenced, the existing ground level shall be neither raised nor lowered. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained during the period of construction.

**Reason:** To prevent trees or hedgerows on site from being damaged during building works.

5. If within a period of 5 years from the date of works commencing on site any tree shown to be retained on the approved plans, is removed, uprooted or destroyed or dies, another tree of the same size and species shall be planted in the same place, unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure the retention of existing trees.

## **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, 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, Economic Development and Regulatory Services Manager reported the following outstanding appeal –

19/0028/FUL	Appeal against refusal of planning permission for change of use of WC building to hot food takeaway (Use Class A5) including external alterations and installation of flue at Public Conveniences, Colne Road, Brierfield, Nelson by Mr Rahul Patel
19/0008/AP/REFUSE	

### **78. ENFORCEMENT/UNAUTHORISED USES**

#### **Enforcement Action**

The Head of Legal Services submitted a report, for information, which gave the up to date position on prosecutions. The Principal Development Management Officer advised that in both cases detailed in the report, an appeal had been lodged.

### **79. 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.

### **80. COMMUNITY INVESTMENT FUND**

Members received details of the uncommitted Community Investment Fund (CIF) allocations and were advised that, further to a decision of the Policy and Resources Committee, all CIF allocations must be made no later than the November round of area committees. Any unallocated funds would be referred to the 21<sup>st</sup> November, 2019 Policy and Resources Committee meeting.

### **81. ISSUES REFERRED TO LANCASHIRE COUNTY COUNCIL**

The Chairman reported on a site meeting that he had attended with County Councillor Iqbal and an

officer of Lancashire County Council to discuss the refresh of the road markings at Chapel Street, Brierfield and the potential resurfacing of Taylor Street, Brierfield.

He advised that, although an order had been made for the road markings to be refreshed at Chapel Street the work had not yet been done. This was being followed up. The resurfacing of Taylor Street, Brierfield was expected to be carried out next year.

**82. BACK HUMPHREY STREET, BRIERFIELD**

In response to a request from this Committee, the Housing, Health and Engineering Services Manager reported that a budget estimate for the resurfacing of Back Humphrey Street, Brierfield was £16,750.

The information was noted.

**83. PUBLIC SPACES PROTECTION ORDER FOR BRIERFIELD AND REEDLEY**

The Corporate Director submitted a report for Members to consider an extension to the Public Spaces Protection Order (PSPO) for Brierfield and Reedley. The PSPO currently included the Massey Street area and supported the police in reducing the impact of anti-social behaviour on residents locally.

The PSPO had been sealed on 29<sup>th</sup> October, 2018 and was for a period of one year.

Arrangements had recently been made for the installation of a CCTV camera in the area and it was therefore suggested that the PSPO be extended for a year to monitor the effectiveness of the CCTV during the spring and summer of 2020. It was noted that this approach was supported by the police.

**RESOLVED**

- (1) That the Public Spaces Protection Order which includes the Massey Street area of Brierfield and Reedley be extended for another year.
- (2) That the Corporate Director be requested to consider adding the Heyhead Park area of Brierfield to the Order.

**REASON**

***To underpin police operational action to reduce anti-social behaviour.***

**84. BRIERFIELD POST OFFICE, 61 COLNE ROAD, BRIERFIELD**

The Committee was provided with a copy of a letter which advised of the temporary closure of the Post Office branch at 61 Colne Road, Brierfield following the resignation of the postmaster and withdrawal of the premises for Post Office use.

The Chairman reported that he had recently met with the area manager, along with County Councillor M. Iqbal, to voice concern on behalf of the local community. He was advised that unfortunately, the appointment of a replacement postmaster had fallen through. However,

discussions were taking place with a business that appeared keen to offer a Post Office service. If this option was agreed, it could take up to six months before the service was reinstated.

**85. ENVIRONMENTAL BLIGHT**

The Housing, Health and Engineering Services Manager reported that there were no existing environmental blight sites in Brierfield and Reedley and no new sites had been put forward.

**86. 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.

**87. OUTSTANDING ITEMS**

The following items had been requested by the Committee. Reports would be submitted to future meetings.

- (a) Tree Preservation Order – TPO/NO1/2019 Reedley Grove (03.09.2019)
- (b) Former Lucas Sports Ground (proposals for the use of funding for infrastructure improvements) (03.09.2019)

CHAIRMAN \_\_\_\_\_