

**MINUTES OF A MEETING OF THE  
BRIERFIELD AND REEDLEY COMMITTEE  
HELD AT BRIERFIELD TOWN HALL  
ON 7<sup>TH</sup> JANUARY, 2020**

*PRESENT*

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

<b>Councillors</b>	<b>Co-optees</b>	<b>Constabulary Representative</b>
<i>M. Hanif Y. Iqbal Q. Shazad</i>	<i>S. Ahmed P. McCormick</i>	<i>Sergeant Scott Boast Sergeant Naadia Worden</i>

**Officers in attendance**

<i>Wayne Forrest Kathryn Hughes Lynne Rowland</i>	<i>Housing Needs Manager (Area Coordinator) Principal Development Management Officer Committee Administrator</i>
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*(Apologies for absence were received from Councillor Mohammed Arshad.)*



*The following persons attended the meeting and spoke on the items indicated –*

<i>Brian Sumner</i>	<i>19/0578/FUL Full: Major: Conversion of former Public House into 10 No. one bed flats, car parking and access; Outline: Erection of two buildings to accommodate 12 No. two bed flats with car parking, access and associated works (Access, Layout, Scale and Appearance only) at 30 Higher Reedley Road, Brierfield for Reedley Properties Ltd</i>	<i>Minute No.108(a)</i>
<i>Umar Faruque</i>	<i>19/0749/HHO Full: Erection of two-storey extension to rear and front porch, installation of front balcony, alterations to windows and extension of driveway at 11 Clements Drive, Reedley</i>	<i>Minute No.108(a)</i>

**103. DECLARATION OF INTERESTS**

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

**104. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**105. MINUTES**

**RESOLVED**

That the Minutes of this Committee, at a meeting held on 6<sup>th</sup> November, 2019 be approved as a correct record and signed by the Chairman.

**106. PROGRESS REPORT**

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

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

Sergeant Boast provided an update on local policing activity over the past month and advised that there had been no major issues. The area had not had any problems with gangs for the past four months. Although there had been a recent issue with gangs on the Burnley side of the border this appeared to be specific to Burnley. However, this would be monitored for any impact on Brierfield and Reedley.

He also provided information on an upcoming system 'In The Know' (ITK) which was due to go live in Spring/Summer 2020. ITK was not a crime reporting system, but would allow members of the public to download an app. through which they could provide details on issues in the community. This would then help the police identify areas to focus their attention.

Members were asked to assist in signposting the scheme once it had gone live.

**108 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 –

**19/0578/FUL Full: Major: Conversion of former Public House into 10 No. one bed flats, car parking and access; Outline: Erection of two buildings to accommodate 12 No. two bed flats with car parking, access and associated works (Access, Layout, Scale and Appearance only) at 30 Higher Reedley Road, Brierfield for Reedley Properties Ltd**

The Planning, Economic Development and Regulatory Services Manager submitted an update which reported receipt of amended plans; advised of an additional condition; and proposals to make appropriate amendments to the pre-commencement conditions.

**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. An application for approval of the reserved matters (namely the landscaping 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 approval of the last of the reserved matters to be approved.

**Reason:** This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. Details of the 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.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

REEDLEY/01 Dwg 00, Dwg 01, Dwg 02, Dwg 06C, Dwg 08, Dwg 03, Dwg 04A, Dwg 05A & Dwg 07.

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

5. 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.

**Advisory Notes:**

- (i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled 'Information for Developers on the investigation and remediation of potentially contaminated sites' will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.
- (ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.
- (iii) 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.

6. Foul and surface water shall be drained on separate systems.

**Reason:** To secure proper drainage and to manage the risk of flooding and pollution.

7. No development shall commence until final details of the design and implementation of an appropriate surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

a) A final surface water drainage layout plan; appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels and external ground levels (in AOD); b) A full set of flow calculations for the surface water drainage network. The calculations must show the full network design criteria, pipeline schedules and simulation outputs for the 1 in 1 year, 1 in 30 year and 1 in 100 year return period, plus a 30% allowance for climate change. The calculations must also demonstrate that the post development surface water run-off rate shall not exceed 5l/s. c) A final site plan showing all on-site surface water catchment areas, i.e. areas that will contribute to the proposed surface water drainage network; d) Confirmation of how surface water will be managed within the non-drained areas of the site, i.e. gardens and public open space. e) A final site plan showing all overland flow routes and flood water exceedance routes, both on and off site; f) Details of any measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses; and g) Details of an appropriate management and maintenance plan for the surface water drainage network over the lifetime of the development.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, 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 that 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 ensure that appropriate maintenance mechanisms are put in place for the lifetime of the development.

8. No development shall commence until details of how surface water and pollution prevention will 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.

9. Prior to the commencement of development, a scheme for the construction of the off-site works of highway improvement shall have been submitted to and approved in writing by the Local Planning Authority.

Works should include, but not be exclusive to, the construction of the access to an appropriate standard, including a minimum width of 4.5m, 6m radius kerbs, and buff coloured, tactile paved dropped pedestrian crossings.

Thereafter, no part of the development (or phase) hereby approved shall be occupied until the approved scheme has been constructed and completed in accordance with the details agreed.

**Reason:** To satisfy the Local Planning Authority that details of the highway scheme/works are acceptable before work commences.

10. 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
- i) Soil resource management including stock-pile 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
- p) An overall Construction Monitoring programme, to include reporting mechanisms and appropriate redress if targets/standards breached
- r) Noise-monitoring to be carried out for the construction period.
- 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 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.

11. No development shall be commenced until full engineering, drainage, street lighting and constructional details to adoptable standards (to Lancashire County Council's specification) of the internal road have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

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

12. 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.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall (more than 0.9m high), fence, hedge, tree, shrub or other device. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed access from the continuation of the nearer edge of the carriageway of Higher Reedley Road to points measured 43m in each direction along the nearer edge of the carriageway of Higher Reedley Road, from the centre line of the access, and shall be constructed and maintained at footway level in accordance with a scheme to be agreed by the Local Planning Authority.

**Reason:** To ensure adequate visibility at the site access.

14. 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.

15. 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.

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

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

17. Prior to first occupation of any residential unit and before the site access is first used for vehicular purposes, that part of the access extending from the adopted highway boundary for a minimum distance of 6m into the site shall be appropriately paved in bound porous material.

**Reason:** In the interest of highway safety to prevent loose surface material from being carried on to the public highway.

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 first occupation of any residential unit the car parking 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 shall thereafter be laid out and retained in accordance with the approved plan.

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

20. Prior to first occupation of any residential unit cycle storage facilities shall be provided in accordance with a scheme to be approved in writing by the Local Planning Authority.

**Reason:** To allow for the effective use of the parking areas and the promotion of sustainable forms of transport.

21. A scheme for electric vehicle charging points shall be submitted and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the first residential unit.

**Reason:** To ensure that the development provides sustainable transport options.

22. Prior to the commencement of the new build elements samples of the materials to be used in the construction of the development and within two months of the date of this decision notice

for the conversion 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. The development shall be carried out in full accordance with the approved details.

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

23. The windows and doors shall be set back by at least 75mm.

**Reason:** To ensure an acceptable form of development.

24. Before a dwelling unit is occupied waste containers shall be provided in the bin/cycle storage areas on each plot.

**Reason:** In order to provide adequate waste storage provision within the site.

25. No development of the new build element shall commence until details of the proposed retaining structure to the southern boundary of the site with the Public Right of Way shall have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that the structural stability of the Public Right of Way is not undermined by the proposed development.

#### **Notes**

1. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the 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 access to an appropriate standard, including a minimum width of 4.5m, 6m radius kerbs, and buff coloured, tactile paved dropped pedestrian crossings; the construction of a new section of footway to an appropriate standard, including surfacing, kerbing and tying into the existing footway network. 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.
2. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. The development may affect the setting of Public Footpath 20 (Brierfield).
3. Before proceeding with the scheme preparation the applicant should consult with Lancashire County Council for detailed requirements relating to land arrangements, design, assessment, construction and maintenance of all existing or new highway structures included in, or affected by, the proposed scheme. For this purpose the term highway structure shall include:
  - Any retaining wall supporting the highway (including and supporting land which provides support to the highway),

- Any retaining wall supporting land or property alongside the highway.

The term 'highway' shall include public footpaths.

### **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 layout, design and materials and would not adversely impact on amenity, ecology, ground stability or highway safety 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.***

**19/0749/HHO Full: Erection of two-storey extension to rear and front porch, installation of front balcony, alteration to windows and extension of driveway at 11 Clements Drive, Reedley for Mr Attiq Raza Azam**

### **RESOLVED**

That the Planning, Economic Development and Regulatory Services Manager be delegated authority to **grant consent**, in consultation with the Chairman, subject to appropriate amendments in relation to the proposed balcony.

### **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 development would be acceptable in terms of design, residential amenity and highways. 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.***

**19/0781/FUL Full: Erection of two storey extensions to both sides and part single, part double storey extension to rear at 24 Broadhurst Way, Reedley for Mr Hayat**

### **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: HAD3153: 01 (Revision a), 02, 03, 04i (Revision c), 04ii (Revision c), 04iii (Revision c), 05 (Revision c), 06 (Revision b) and 07 (Revision b).

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

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

**Reason:** Those materials are appropriate for the development and site.

4. The additional bedrooms hereby approved shall not be brought into use unless and until, the parking area as shown on the approved plan 'HAD3153 – 07 (Revision b)' has first been constructed, laid out and surfaced in a bound porous material, unless otherwise agreed in writing by the Local Planning Authority. The parking spaces shall thereafter remain free from obstruction and be available for the parking of vehicles associated with the occupants of the dwelling.

**Reason:** To provide adequate parking to service the development and 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. Before the development hereby approved is completed, a close boarded fence no lower than 1.8 metres or no higher than 2.0 metres shall be provided along the northwest boundary of the rear garden from a point starting in line with the northeast boundary to a minimum point of 12m to the southwest. The fence shall at all times thereafter be retained in good repair.

**Reason:** To safeguard residential amenity and prevent overlooking.

6. The first floor windows in the northeast and northwest elevations 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 windows 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**

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>.

**(b) Planning appeals**

The Planning, Economic Development and Regulatory Services Manager submitted a report which advised of two outstanding appeals. The following appeal had been dismissed –

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 by Mr Rahul Patel
19/0008/AP/REFUSE	

**109. ENFORCEMENT/UNAUTHORISED USES**

**Enforcement Action**

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

**110. 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. The report included one bid for consideration.

The report also advised of £627 funding remaining in the pot for the provision and maintenance of red grit bins. It was explained that this was not enough to fill all the bins and, as the maintenance and re-filling of the grit bins was revenue expenditure, no additional funding could be allocated.

Members were reminded that Reedley Hallows Parish Council had agreed to take over the responsibility of funding future refills of the seven red grit bins in their area. This left 23 bins in Brierfield which, if not used for their correct purpose would become a hazard on the highway.

A decision on what action to take had been deferred at the last meeting of the Committee.

It was recommended that the remaining funds be used to remove the existing Brierfield bins from site.

**RESOLVED**

- (1) That £9,651 be allocated for the resurfacing of back streets in Brierfield.
- (2) That a decision on what action to take with regard to the red grit bins be deferred to a future meeting of this Committee.

**REASON**

***To ensure the most effective allocation of the Committee's capital budget.***

**111. INSTALLATION OF BOLLARDS AT CLEGG STREET, BRIERFIELD**

Further to a request at the last meeting, the Housing, Health and Engineering Services Manager

submitted a report which advised Members of a proposed scheme to resolve parking issues being experienced at the entrance to Together Housing properties at Clegg Street, Brierfield.

The scheme involved the installation of bollards at each side of the entrance to the access road that served the Together Housing properties. Permission for the works had been granted and were expected to be carried out in January 2020.

Although the bollards would prevent vehicles parking on the pavement, it was noted that there was still an issue with vehicles parking on the road, up to the junction's edge. It was suggested that the 'white line' road markings be extended to discourage this.

**RESOLVED**

That Lancashire County Council (LCC) be asked to consider extending the 'white line' road markings at the entrance to the access road that serves the Together Housing properties at Clegg Street, Brierfield.

**REASON**

*To discourage people from parking their vehicles up to the junction's edge.*

**112. TRAFFIC LIAISON MEETING**

The minutes of the Traffic Liaison Meeting held on 17<sup>th</sup> October, 2019 were submitted for information.

It was noted that LCC had agreed to mark the dropped kerbs at the Chapel Street/Arthur Street, Brierfield junction with 'H' bars and would add additional lining to protect the junction. The Chairman advised that this work had not yet been carried out.

**RESOLVED**

That LCC be asked to carry out the agreed works as a matter of urgency.

**REASON**

*In the interests of highway safety.*

**113. PROBLEM SITES**

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

**RESOLVED**

That the former Marsden Cross Public House be removed from the Committee's list of problem sites.

**REASON**

***The site is no longer considered to be a problem.***

**114. ENVIRONMENTAL CRIME**

The Environmental Services Manager submitted a report which informed Members of the environmental crime action for 1<sup>st</sup> July to 30<sup>th</sup> September, 2019 in the Brierfield and Reedley area along with annual totals for 2019/20.

**115. 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.

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

The Housing, Health and Engineering Services Manager reported that the improvement works to 1-3 Colne Road, Brierfield had been completed and the Town Centre Premises Improvement Grant had been processed.

CHAIRMAN \_\_\_\_\_