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Contact Officer: Richard Dunne – 01484 221000

## **KIRKLEES COUNCIL**

### **PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)**

**Thursday 4 December 2014**

Present: Councillor Kane (in the Chair)  
Councillors Bellamy, E Firth, S Hall, Hemingway, Hughes, Lyons,  
Marchington, Sarwar, Sims, Sokhal, Walton and Wilkinson

#### **1 Membership of the Committee**

Under the provisions of the 9 day change Councillor Kane substituted for Councillor Preest.

Councillor E Firth substituted for Councillor Calvert.

Councillor Marchington substituted for Councillor Iredale.

#### **2 Appointment of Chair**

Councillor Kane was appointed as Chair of the meeting.

#### **3 Site Visits**

The Sub-Committee visited the sites of the following proposals:

- (a) Application 2014/92041 – Alterations to part of premises to form taxi office and erection of canopy at Baharkat Supermarket, 279 Manchester Road, Crosland Moor.
- (b) Application 2014/92130 – Outline application for erection of detached dwelling with integral garage at Springwood House, Sheffield Road, New Mill, Holmfirth.

#### **4 Minutes of previous meeting**

The Minutes of the Sub-Committee meeting held on 23 October 2014 were approved as a correct record.

#### **5 Interests and Lobbying**

In connection with item 12 – Planning Applications, Members declared interests in planning applications as follows:

Councillor Sims declared an other interest in Application 2014/93156 on the grounds that he had previously dealt with the company David Brown in his capacity as Chair of Regeneration.

Councillor Sims declared an other interest in Application 2014/92130 on the grounds that he knew the applicant.

Councillor Lyons declared an other interest in Application 2014/92957 on the grounds that he was a member of Meltham Town Council.

**6 Admission of the Public**

The Sub-Committee considered the question of the exclusion of the public and determined that all items be taken in public session.

**7 Deputations/Petitions**

No deputations or petitions were received.

**8 Public Question Time**

No questions were asked.

**9 Local Authority Appeals**

The Sub-Committee received a report which set out details of the decisions of the Planning Inspectorate in respect of appeals submitted against decisions of the Local Authority.

**RESOLVED** – That the report be noted.

**10 Application 2013/91775 – Alteration of Butterley Spillway**

The Sub-Committee considered a report which sought approval for the variation of a reason for refusal, under planning application 2013/91775, which was for the alteration of Butterley Spillway, Marsden.

The report contained the background to the application, the implications for the Council and the officer's recommendations and reasons.

**RESOLVED** – That the reason for refusal, under Planning Application 2013/91775 - Butterley Spillway, Marsden be amended to read: The proposed works by reason of their scale, design and the materials of construction would result in substantial harm to the significance and setting of the heritage asset contrary to paragraph 133 of the National Planning Policy Framework.

**11 Planning Applications**

The Sub Committee considered the schedule of the Planning Applications. Under the provisions of the Councils Procedural Rule number 37, the Sub Committee heard representations from the members of the public in respect of the following applications;-

- (a) Application 2014/92041 – Alterations to part of premises to form taxi office and erection of canopy at Baharkat Supermarket, 279 Manchester Road, Crosland Moor, Huddersfield – Mr Ahmed (applicant) and Andrew Keeling (planning agent)

- (b) Application 2014/92130 – Outline application for erection of detached dwelling with integral garage at Springwood House, Sheffield Road, New Mill, Holmfirth – Andrew Keeling (speaking on behalf of the applicant).

**RESOLVED** - That the applications under the planning acts included in the list submitted for the consideration of the Sub Committee be determined as now indicated and that the schedule of such decisions be circulated to Members.



DOC1443A

**KIRKLEES COUNCIL**  
**LIST OF PLANNING APPLICATIONS DECIDED BY**  
**PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)**  
**4 DECEMBER 2014**

APPLICATION NO.	DESCRIPTION, LOCATION OF PROPOSAL AND DECISION
2014/92041	<p data-bbox="523 212 1444 324">Mrs S Ahmed – Alterations to part of premises to form taxi office and erection of canopy – Baharkat Supermarket, 279, Manchester Road, Crosland Moor, Huddersfield, HD4 5AA</p> <p data-bbox="523 358 1420 582">DEFERRED (FOR PLANNING OFFICERS TO PREPARE A REPORT FOR CONSIDERATION BY THE COMMITTEE DETAILING THE PLANNING HISTORY AND THE CURRENT OUTSTANDING BREACHES OF PLANNING CONTROL (ENFORCEMENT ISSUES) THAT ARE RELEVANT TO THE APPLICATION SITE)</p> <p data-bbox="523 616 1412 694">A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURAL RULES AS FOLLOWS:</p> <p data-bbox="523 728 1428 840">FOR: Councillors Hemingway, Bellamy, Sims, E Firth, Hughes, S Hall, Wilkinson, Marchington, Walton, Sokhal, Kane, Lyons and Sarwar (13 Votes)</p> <p data-bbox="523 873 829 918">AGAINST: (0 Votes)</p>
2014/92130	<p data-bbox="523 952 1444 1064">B Eagles – Outline application for erection of detached dwelling with integral garage – Springwood House, Sheffield Road, New Mill, Holmfirth, HD9 7EX</p> <p data-bbox="523 1097 1436 1321">GRANT CONDITIONAL OUTLINE PLANNING PERMISSION (THE ORIGINAL OFFICER RECOMMENDATION WAS FOR REFUSAL) THE SUB COMMITTEE FELT THAT THE PROPOSED DWELLING WAS SITUATED WITHIN AN EXISTING SETTLEMENT AND WAS IN ACCORDANCE WITH POLICY D13 OF THE UNITARY DEVELOPMENT PLAN</p> <p data-bbox="523 1355 1412 1433">A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURAL RULES AS FOLLOWS:</p> <p data-bbox="523 1467 1444 1545">FOR: Councillors Hemingway, Bellamy, E Firth, Hughes, S Hall, Walton, Sarwar, Sokhal, and Lyons (9 Votes)</p> <p data-bbox="523 1579 1284 1624">AGAINST: Councillors Wilkinson and Kane (2 Votes)</p> <p data-bbox="523 1657 1220 1691">ABSTAINED: Councillors Sims and Marchington</p>
2014/93156	<p data-bbox="523 1724 1396 1870">W Shaw, David Brown Gear Systems Ltd – Erection of engineering building, demolition of existing building and associated external works – David Brown, Park Gear Works, Park Road, Lockwood, Huddersfield, HD4 5DD</p> <p data-bbox="523 1904 1053 1937">CONDITIONAL FULL PERMISSION</p> <p data-bbox="523 1982 1444 2085">(1) The development shall be begun not later than the expiration of three years beginning with the date on which permission is granted.</p>

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2014/93156 Cont'd

(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

(3) No development shall take place until a sample facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed of the approved materials.

(4) Prior to development commencing protective fencing in accordance with British Standard BS 5837 shall be erected around all protected trees and trees to be retained on the site.

(5) Development shall not commence until a scheme restricting the rate of surface water discharge from the site to a maximum of 70% of the existing pre-development flow rate to the same outfall, has been submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30 year storm event as a minimum requirement. Volumes generated by storms in excess of the critical 1 in 30 year storm event, up to and including the critical 1 in 100 year storm event with an appropriate allowance for climate change, shall be stored on site in areas to be approved in writing by the Local Planning Authority. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented and thereafter retained.

(6) Surface water draining from areas of hard standing shall be passed through an oil interceptor or series of oil interceptors, prior to the discharge into any watercourse, soakaway or surface water sewer. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s). Vehicle wash downs and detergents shall not be passed through the interceptor.

(7) All down pipes carrying rain water from areas of roof shall be sealed at ground level prior to the occupation of the development. All sealed construction shall thereafter be retained throughout the lifetime of the development.

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**DESCRIPTION, LOCATION OF PROPOSAL AND DECISION**

(8) Inspection manholes shall be provided on all foul and surface water drainage runs such that discharges from individual units can be inspected/sampled if necessary. All manhole covers shall be marked to enable easy recognition. Foul will be marked in red Surface water will be marked in blue. Directions of flow will be denoted. Where more than one discharge point is proposed, manholes will also be numbered accordingly to correspond with their respective discharge point.

(9) Before development commences a report specifying the measures to be taken to protect the occupants of nearby noise sensitive premises on Nabcroft Lane, Ruddings Street, Ellison Street and de Trafford Street from noise from the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

- \* an assessment of noise emissions from the proposed development
- \* details of background and predicted noise levels at the boundary of Nabcroft Lane, Ruddings Street, Ellison Street and de Trafford Street
- \* a written scheme of how the occupants of Nabcroft Lane, Ruddings Street, Ellison Street and de Trafford Street will be protected from noise from the proposed development with noise attenuation measures as appropriate. This shall include the level and hours of use of any deliveries off Nabcroft Lane.

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such works shall be thereafter retained.

(10) Development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

(11) Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 10 development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

(12) Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 11. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site



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Investigation Report] is identified or encountered on site, all works on site (save for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the Local Planning Authority, works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

(13) Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

(14) Before development commences a scheme which indicates the measures to be taken for the control of any glare or stray light arising from the operation of artificial lighting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the artificial lighting shall be operated in accordance with the approved scheme.

The scheme should include the following information:-

- \* The proposed design level of maintained average horizontal illuminance for the site.
- \* The predicted vertical illuminance that will be caused by lighting when measured at windows of any properties in the vicinity.
- \* The proposals to minimise or eliminate glare from the use of the lighting installation
- \* The proposed hours of operation of the lighting

(15) No part of the development shall be brought into use until a Travel Plan for the site (Park Gear Works) has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:

- \* Measures, objectives and targets for reduced car usage and increased non-car transport usage, including modal split targets;
- \* The provision of Travel Plan Co-ordinator including roles, responsibilities and annual monitoring;
- \* The provision of travel Information;
- \* Implementation and review timescale; and
- \* Enforcement, sanctions and corrective/review mechanisms.

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The measures contained within the Travel Plan shall be implemented in accordance with the approved timescale, except where the monitoring evidence demonstrates that a revised timescale/measures to achieve trip targets are necessary, in which case the revised details would be implemented.

(16) A traffic management plan to minimise the use of public roads to move goods by site plant from the application site to other areas of the Park Gear Works shall be submitted to, approved in writing by the Local Planning Authority and brought into operation before the building is first brought into use. Thereafter the movement of goods by site plant shall be undertaken in accordance with the traffic management plan so approved.

(17) The Nabcroft Lane access shall not be used by vehicles that engage in reversing movements except by David Brown in connection with the production of gear mechanisms.

(18) No articulated vehicles shall reverse out of the Nabcroft Lane access without the use of two banks-men.

(19) The development shall not be occupied until a footway 1.8metres wide has been provided at the carriageway edge across the altered access in Nabcroft Lane, including dropped kerbs, to the extent shown on drawing 2329/03D, in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority. The footway so approved shall thereafter be retained.

(20) No retaining walls or retaining structures shall be constructed near or abutting the public highway until details of their siting, design and external facing materials have been submitted to and approved in writing by the Local Planning Authority. Thereafter the retaining walls or retaining structures shall be constructed in accordance with the details so approved.

(21) The building shall not be brought into use until the modified access to Nabcroft Lane, as indicated on the site plan ref: 2329/03D, has been constructed and a visibility splay of 2.4m x 43m to the right on exit has been achieved. Thereafter there shall be no obstruction to visibility within the visibility splay exceeding a height of 1m.

(22) No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

\* Parking of vehicle of site operatives and visitors

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2014/93156 Cont'd

- \* Routes for construction traffic and deliveries
- \* Hours of operation
- \* Method of prevention of mud being carried onto highway
- \* Arrangements for turning vehicles

**NOTE:** The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 0800 7318765) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

**NOTE:** In respect of condition 15, measures to reduce car usage/increase non-car usage can include: provision of cycle parking, provision of METRO cards, improvements to bus stops in the immediate locality of the site.

**A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURAL RULES AS FOLLOWS:**

**FOR:** Councillors Hemingway, Bellamy, Sims, E Firth, Hughes, S Hall, Wilkinson, Marchington, Walton, Sokhal, Kane, Lyons and Sarwar (13 Votes)

**AGAINST:** (0 Votes)

**(THE DECISION WAS MADE IN LINE WITH THE REASONS GIVEN IN THE OFFICERS REPORT AND THE UPDATE LIST)**

2014/92957

Mr & Mrs Potter – Erection of extensions and alterations – 47 Hanson Road, Meltham, Holmfirth, HD9 5LR

**CONDITIONAL FULL PERMISSION**

(1) The development hereby permitted shall be begun within three years of the date of this permission.

(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

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2014/92957 Cont'd

(3) The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURAL RULES AS FOLLOWS:

FOR: Councillors Hemingway, Bellamy, Sims, E Firth, Hughes, S Hall, Wilkinson, Marchington, Walton, Sokhal, Kane, Lyons and Sarwar (13 Votes)

AGAINST: (0 Votes)

(THE DECISION WAS MADE IN LINE WITH THE REASONS GIVEN IN THE OFFICERS REPORT)

2014/92310

C & D Bottomley – Erection of single storey extension and alterations, extension of drive and erection of fence and gates – 2 Spinneyfield, Fixby, Huddersfield, HD2 2HX

**CONDITIONAL FULL PERMISSION**

(1) The development hereby permitted shall be begun within three years of the date of this permission.

(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

(3) Notwithstanding the submitted plans and information, one woodcrete bat box, in the form of a Schweglar type 1FF bat box or similar, shall be erected on a mature tree within the site during the construction phase. The box should be installed at least 4 metres from ground level and be clear of obstructions which would prevent its use by the bats. The location of the bat box shall be indicated on a plan which shall be submitted to and approved in writing by the Local Planning Authority before it is erected. The bat box once erected shall then be retained.

(4) Notwithstanding the submitted plans and information, two woodcrete bird boxes shall be erected on a mature tree within the site during the construction phase. The boxes shall be installed at least 4 metres and be clear of obstructions which would prevent its use by the birds. The location of the bird boxes shall be indicated on a plan which shall be submitted to and approved in writing by the Local Planning Authority before it is erected. The bird boxes once erected shall then be retained.

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2014/92310 Cont'd

**NOTE:** If during the course of the development bats are found on site then the work must cease immediately and the advice of a licensed bat worker sought.

**NOTE:** Vegetation removal should be undertaken outside of the bird breeding season, March to September inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present, work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURAL RULES AS FOLLOWS:

FOR: Councillors Hemingway, Bellamy, Sims, E Firth, Hughes, S Hall, Wilkinson, Marchington, Walton, Sokhal, Kane, Lyons and Sarwar (13 Votes)

AGAINST: (0 Votes)

(THE DECISION WAS MADE IN LINE WITH THE REASONS GIVEN IN THE OFFICERS REPORT)

2014/92311

C & D Bottomley – Listed Building Consent for erection of single storey extension and alterations, and demolition of coalhouse/pantry, porch/wc and part of boundary wall – 2 Spinneyfield, Fixby, Huddersfield, HD2 2HX

GRANT LISTED BUILDING CONSENT

(1) The development hereby permitted shall be begun within three years of the date of this permission.

(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURAL RULES AS FOLLOWS:

FOR: Councillors Hemingway, Bellamy, Sims, E Firth, Hughes, S Hall, Wilkinson, Marchington, Walton, Sokhal, Kane, Lyons and Sarwar (13 Votes)

AGAINST: (0 Votes)

**APPLICATION NO.**

**DESCRIPTION, LOCATION OF PROPOSAL AND DECISION**

2014/92311 Cont'd

(THE DECISION WAS MADE IN LINE WITH THE REASONS  
GIVEN IN THE OFFICERS REPORT)