



**Service Director – Legal, Governance and
Commissioning**

Julie Muscroft

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Decision Summary

Committee:
(HUDDERSFIELD AREA)

Date:

Committee Clerk:

TEL:

PLANNING SUB-COMMITTEE

THURSDAY 13 DECEMBER 2018

Richard Dunne

01484 221000

Chair

Councillor Terry Lyons

Councillors Attended

Councillor Donna Bellamy

Councillor Nell Griffiths

Councillor Mohammad Sarwar

Councillor Ken Sims

Councillor Mohan Sokhal

Councillor Sheikh Ullah

Councillor Harpreet Uppal

Councillor Bernard McGuin

Councillor Alison Munro

Councillor Hilary Richards

1: Membership of the Committee

This is where Councillors who are attending as substitutes will say for whom they are attending.

Councillor Alison Munro substituted for Councillor Gemma Wilson

Councillor Hilary Richards substituted for Councillor James Homewood

2: Minutes of previous meeting

To approve the Minutes of the meeting of the Committee held on 1 November

2018.

The Minutes of the meeting held on 1 November 2018 were approved as a correct record.

3: Interests and Lobbying

The Councillors will be asked to say if there are any items on the Agenda about which they might have been lobbied. The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other interests.

Cllr Lyons and McGuin declared that they had been lobbied on Item 17.

Councillor Richards declared an 'other interest' in application 2018/90501 on the basis that she had known the family of the applicants for many years.

Councillor Lyons declared an 'other interest' in applicant 2018/92937 on the grounds that he was a member of Meltham Town Council.

Councillor Sokhal declared an 'other interest' in item 18 on the grounds that he had previously commented on and supported local residents to maintain the public rights of way footpaths at Clayton Fields.

Councillor Ullah declared an 'other interest' in item 18 on the grounds that he had previously been involved in facilitating a number of meetings between the developer and objectors.

Councillor McGuin declared an 'other interest' in item 18 on the grounds that he had been involved in a local group that had wanted to establish a village green on the land at Clayton Fields.

Councillor McGuin declared an 'other interest' in application 2018/92785 on the grounds that in his capacity as a local ward member he had been involved in discussing the application with officers on behalf of local residents.

Councillor McGuin declared he had been lobbied on application 2018/93226.

Councillor Bellamy declared an 'other interest' in application 2018/93508 on the grounds that she was a member of Holme Valley Parish Council

Councillor Bellamy declared that she had been lobbied on applications 2016/91573 and 2018/92216.

Councillor Sims declared that he had been lobbied on application 2018/93508.

Councillor Griffiths declared that she had been lobbied on application 2016/91573.

Councillor Uppal declared that she had been lobbied on application

2017/93847.

Councillor Munro declared that she had an 'other interest' in application 2018/92785 on the grounds that she knew the applicants.

4: Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

All items on the agenda were taken in public session

5: Deputations/Petitions

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

No deputations or petitions were received.

6: Public Question Time

The Committee will hear any questions from the general public.

The Committee received a question from Councillor Nigel Patrick regarding whether members of planning committees had received training on matters relating to Public Rights of Way,

The Kirklees Development Management Group Leader and the Definitive Map Officer responded on behalf of the Committee to the question.

The Committee received a second question from Councillor Nigel Patrick regarding planning reports and recommendations being completed before the public consultation period had expired. The Kirklees Development Manager Group Leader responded on behalf of the committee.

7: Site Visit - Application No: 2018/91542

Erection of two storey rear extension, porch to front and alterations to roof 9, Inglewood Avenue, Birkby, Huddersfield.

(Estimated time of arrival at site – 9.15am)

Contact Officer: Neal Bearcroft, Planning Services

Site visit undertaken.

8: Site Visit - Application No: 2018/92934

Outline application for erection of residential development former Gees Garage, New Hey Road, Outlane, Huddersfield.

(Estimated time of arrival at site – 9.35am)

Contact Officer: Matthew Woodward, Planning Services

Site visit undertaken.

9: Site Visit - Application No: 2018/92935

Outline for residential development - former Gees Garage, New Hey Road, Outlane, Huddersfield.

(Estimated time of arrival at site – 9.35am)

Contact Officer: Matthew Woodward, Planning Services

Site visit undertaken.

10: Site Visit - Application No: 2018/90501

Change of use and alterations to part of mill to form 42 residential units and 8 light industrial units (use class B1c) and retention of part of existing retail use (revised description and amended plans) Stanley Mills, Britannia Road, Milnsbridge, Huddersfield.

(Estimated time of arrival at site – 9.55am)

Contact Officer: Matthew Woodward, Planning Services

Site visit undertaken.

11: Site Visit - Application No: 2016/91573

Demolition of existing redundant mill buildings and erection of 55 dwellings with associated parking and access from Manchester Road Cellars Clough Mill, Manchester Road, Marsden, Huddersfield.

(Estimated time of arrival at site – 10.20am)

Contact Officer: Farzana Tabasum, Planning Services

Site visit undertaken.

12: Site Visit - Application No: 2018/92937

Erection of 51 dwellings and associated works Land south of, Helme Lane, Meltham, Holmfirth.

(Estimated time of arrival at site – 10.40am)

Contact Officer: Matthew Woodward, Planning Services

Site visit undertaken.

13: Site Visit - Application No: 2018/93508

Reserved matters application pursuant to outline permission 2016/91502 for erection of one detached dwelling Adj Spring Lane, Holmfirth.

(Estimated time of arrival at site – 11.15am)

Contact Officer: Nick Hirst, Planning Services

Site visit undertaken.

14: Site Visit - Application No: 2018/92785

Change of use of land to pub garden and play area The Sun, 137, Highgate Lane, Lepton, Huddersfield.

(Estimated time of arrival at site – 11.50am)

Contact Officer: Francis Davies, Planning Services

Site visit undertaken.

15: Site Visit - Application No: 2017/93847

Outline application for erection of 36 dwellings land off, Upper Quarry Road and Bradley Road, Bradley, Huddersfield.

(Estimated time of arrival at site – 12.20pm)

Contact Officer: Victor Grayson, Planning Services

Site visit undertaken.

16: Local Planning Authority Appeals

The Sub Committee will receive a report detailing the outcome of appeals against decisions of the Local Planning Authority, as submitted to the Secretary of State.

Contact: Mathias Franklin, Development Management Group Leader

That the report be noted

17: Council stance on the definitive map modification order submitted to DEFRA. Public rights of way and their status at Huddersfield 231, Nether Moor, Huddersfield

To consider the report.

Contact: Public Rights of Way publicrightsofway@kirklees.gov.uk

Wards Affected: Crosland Moor & Netherton

That the:

1. Interim emergency decision made by the Strategic Director Economy and Infrastructure to submit a case seeking the recording of Huddersfield 231 as a footpath be noted;
 2. Committee acknowledge the amended officers advice that the Council can in fact support the existence of Huddersfield 231 as a bridleway and endorse the Committee's decision made on 23 November 2017 to authorise the making of an order to record Huddersfield public right of way 231 at Nether Moor as a public bridleway.
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18: Application for a definitive map modification order to add a public footpath to the definitive map and statement, Clayton Fields, Edgerton. (Application reference 204)

To consider the report.

Contact officer: Giles Cheetham, Definitive Map Officer. 01484 221000, giles.cheetham@kirklees.gov.uk

Wards: Greenhead

1. That the Committee conclude that the Definitive Map Modification Order (DMMO) application 204 relates to a dispute over the specific alignment of a route that is already subject to an unconfirmed, undetermined DMMO made

- by the Council, which is to be submitted to the Secretary of State for determination; and
2. That the evidence relating to file 204 should be submitted to the Secretary of state together with the opposed DMMO.
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18:a Clayton Fields Background Papers & Appendices

Background Papers and History of Decisions

9.1 872/1/MOD/30 & 31 & 183 & 184 & 185 & 186 & 187

9.2 Links to previous reports/decisions

Item 12 on TCPA s257 - deferred at August 2017

<https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=149&MId=5286&Ver=4>

Item 10 on TCPA s257 - authority October 2017

<https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=149&MId=5287&Ver=4>

Item 17 on File 183 DMMO - decision February 2018

<https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=149&MId=5290&Ver=4>

Item 14 on Files 30, 31, 184, 185, 186 & 187 DMMO - deferred at May 2018 AND

Item 15 on TCPA s257 authority amendment - deferred at May 2018

<https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=149&MId=5292&Ver=4>

Item 13 on Files 30, 31, 184, 185, 186 & 187 DMMO - decisions June 2018 AND

Item 14 on TCPA s257 authority - amended June 2018

<https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=149&MId=5622&Ver=4>

9.3 Appendices

https://drive.google.com/open?id=1w7rVBr2fNi-_vTdeVpwe0-9d79fQHNOX

Appendix 1 – guidance for members.

9.3.1 Plan 1 – Plan depicting application route 204

9.3.2 App A – DMMO application form & plan (file 204)

9.3.3 App B – Application video file

9.3.4 App C – Other plans from CBH records

9.3.5 App D – Mr Adamson's submissions

9.3.6 App E – Application 204 submission marking claimed route on site plan R/1954/1C.

9.3.7 App W – Comparison plan showing routes in DMMO applications

183 and 204, as well as footpath 477 in the opposed October 2018 DMMO.

9.3.8 App X – October 2018 DMMO

9.3.9 App Y – October 2018 s257 extinguishment order.

19: Planning Application - Application No: 2016/91573

Demolition of existing redundant mill buildings and erection of 55 dwellings with associated parking and access from Manchester Road Cellars Clough Mill, Manchester Road, Marsden, Huddersfield.

Contact Officer: Farzana Tabasum, Planning Services

Delegate to the Head of Strategic Investment to approve as detailed within the considered report.

20: Planning Application - Application No: 2018/92934

Outline application for erection of residential development former Gees Garage, New Hey Road, Outlane, Huddersfield.

Contact Officer: Matthew Woodward

Deferred

21: Planning Application - Application No: 2018/92935

Outline application for erection of residential development former Gees Garage, New Hey Road, Outlane, Huddersfield, HD3 3YJ.

Contact Officer: Matthew Woodward

Deferred.

22: Planning Application - Application No: 2018/92937

Erection of 51 dwellings and associated works Land south of, Helme Lane, Meltham, Holmfirth.

Contact Officer: Matthew Woodward

Delegate to the Head of Strategic Investment to approve as detailed within the considered report and the update list.

23: Planning Application - Application No: 2018/90501

Change of use and alterations to part of mill to form 42 residential units and 8 light industrial units (use class B1c) and retention of part of existing retail use (revised description and amended plans) Stanley Mills, Britannia Road, Milnsbridge, Huddersfield.

Contact Officer: Matthew Woodward, Planning Services

Deferred.

24: Planning Application - Application No: 2017/93847

Outline application for erection of 36 dwellings land off, Upper Quarry Road and Bradley Road, Bradley, Huddersfield.

Contact Officer: Victor Grayson, Planning Services

Refused in line with the officer's recommendation detailed in the considered report and the update list.

25: Planning Application - Application No: 2018/92785

Change of use of land to pub garden and play area The Sun, 137, Highgate Lane, Lepton, Huddersfield.

Contact Officer: Francis Davies

Delegate to the Head of Strategic Investment to approve for a temporary period until end of July 2019 (contrary to the officers recommendation to refuse) subject to the following conditions:

1. Use of outside pub garden and play area to finish by 8:00 pm.
 2. A Management Plan for the supervision and monitoring of the use of the outside pub garden and play area.
 3. Appropriate signage highlighting the need to be considerate to people living in neighbouring properties.
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26: Planning Application - Application No: 2018/93508

Reserved matters application pursuant to outline permission 2016/91502 for erection of one detached dwelling Adj Spring Lane, Holmfirth.

Contact Officer: Nick Hirst ,Planning Services

Delegate to the Head of Strategic Investment to approve as detailed within the considered report subject to the amendment to the boundary treatment

condition for the erection of a five foot stone wall along the full length of the shared boundary.

27: Planning Application - Application No: 2018/92216

Erection of 5 dwellings land off, Netherley Drive, Marsden, Huddersfield.

Contact Officer: Nick Hirst

Refused in line with the officer's recommendation detailed in the considered report and the update list.

28: Planning Application - Application No: 2018/91838

Outline application for erection of residential development Land off, Burn Road, Birchencliffe, Huddersfield.

Contact Officer: Adam Walker, Planning Services

Delegate to the Head of Strategic Investment to approve as detailed within the considered report.

29: Planning Application - Application No: 2018/91542

Erection of two storey rear extension, porch to front and alterations to roof 9, Inglewood Avenue, Birkby, Huddersfield.

Contact Officer: Neal Bearcroft, Planning Services

Delegate to the Head of Strategic Investment to approve as detailed within the considered report.

30: Planning Application - Application No: 2018/93226

Erection of two storey and single storey extensions Brigsteer, 402, Birkby Road, Birkby, Huddersfield

Contact Officer: William Simcock, Planning Services

Deferred.
