

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

Thursday 2nd February 2023

Present: Councillor Sheikh Ullah (Chair)
Councillor Paul Davies
Councillor Tyler Hawkins
Councillor James Homewood
Councillor Jo Lawson
Councillor Mohan Sokhal
Councillor Donald Firth
Councillor Tony McGrath
Councillor Bernard McGuin
Councillor Andrew Marchington
Councillor Susan Lee-Richards
Councillor Charles Greaves

Apologies: Councillor Mohammad Sarwar

1 Membership of the Sub-Committee

Apologies were received from Councillor Mohammad Sarwar.

2 Minutes of previous meeting

The minutes of the meeting held on the 20 October 2022 were approved as a correct record.

3 Declaration of Interests and Lobbying

Councillor Greaves declared that he had been lobbied on application 2022/93846.

Councillor Greaves declared an "other" interest in application 2022/93846 on the grounds that he had provided significant advice and guidance to the applicant and felt that due to his substantial involvement in the matter that he should not vote on the application.

It was noted that Councillor Greaves left the room during the Committee discussion and did not vote.

4 Admission of the Public

All items on the agenda were taken in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked.

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7 Site Visit - Application No: 2020/93954

Site visit undertaken.

8 Site Visit - Application No: 2022/90655

Site visit undertaken.

9 Site visit - Application No: 2022/93520

Site visit undertaken.

10 Site Visit- Application No: 2022/93251

Site visit undertaken.

11 Planning Application - Application No: 2020/93954

The Sub Committee gave consideration to Planning Application 2020/93954 Erection of 42 dwellings and associated works Land at, Lingards Road, Slaithwaite, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Sub Committee received representations from Jaki Howes, Robert Bamforth, Stephen Head, Glen Rigby, David Woodhead, Kay Wrench (objectors), Stephen Byram (applicant), William Best and Malcolm Sizer (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(3), the Committee received representations from Councillors Lesley Warner and Harry McCarthy (ward members).

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. Complete the list of conditions including those contained within the considered report and the planning update including:

1. Three years to commence development.
2. Development to be carried out in accordance with the approved plans and specifications.
3. Walling and roofing material samples to be submitted and approved.
4. Landscaping strategy to be submitted and approved, to include trees along Northern boundary (adjacent properties fronting Manchester Road) and planting along north side of the access road adjacent to no. 45 Lingards Road.
5. Green retaining walls to be detailed, including management and maintenance, and provided.
6. Submission of boundary treatment plan, to include western boundary treatment, details of treatment along boundary with Lower Wood Farm, and screening along north side of the access road adjacent to no. 45 Lingards Road.
7. Remove Permitted Development rights for outbuildings and extensions for all plots.
8. Submission of Construction Environmental Management Plan (CMP).
9. Submission of Construction Environmental Management Plan (CEMP).

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10. Details of the road to an adoptable standard.
11. Arboricultural Method Statement and Tree Protection plan to be provided.
12. Road condition survey.
13. Construction phase waste collection strategy.
14. Technical details of 2m footway along frontage to be provided and implemented.
15. Cross sections showing extent of structural impact on Lingards Road.
16. Parking spaces to be provided prior to occupation.
17. Provision of footpath to lower Lingards Road (adjacent to junction to Manchester Road).
18. Provision of footpath improvements on Yew Tree Lane (expected to include dropped crossings and tactile paving).
19. Sectional details to Lingards Road.
20. Electric Vehicle Charging Points.
21. Details of cycle storage per plot.
22. Waste storage / collection to be provided.
23. Waste collection phasing strategy.
24. Contaminated land investigations.
25. Full drainage details (including catchment analysis to finalise pipe sizing).
26. Flood routing details.
27. Temporary drainage.
28. CEMP: Biodiversity.
29. EDS, to include habitat units on site, 20% bat boxes, 100% bird boxes, hedgehog holes.
30. Lighting design strategy (crime and ecology).
31. No site clearance within the bird breeding season (unless appropriate survey undertaken).

2. Secure a Section 106 agreement to cover the following matters:

- a) Affordable housing: 8 (20% of total number) dwellings to be affordable, with all 8 to be affordable rent (social rent).
- b) Open space off-site contribution: £57,791 towards off-site Public Open Space works within the area.
- c) Education: £161,274.66 towards education requirements arising from the development.
- d) Biodiversity: £99,038 towards off-site measures to achieve biodiversity net gain, with alternative option to provide on-site or nearby provision if suitable scheme identified.
- e) Metro / Sustainable travel: £26,000 for Bus Shelter Improvements (shelters on Manchester Road).
- f) Management and maintenance: Retaining wall, POS, Drainage (including culverts), and Ecological features.

3. Pursuant to (2) above, in the circumstances where the Section 106 agreement has not been completed within three months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the mitigation and benefits that would have been secured; if so, the Head of Planning and Development is authorised to determine

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the application and impose appropriate reasons for refusal under Delegated Powers.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors: P Davies, D Firth, Hawkins, Homewood, Jo Lawson, Marchington, McGrath, Sokhal and Ullah (9 votes)

Against: Councillors: Greaves, Lee-Richards and McGuin (3 votes).

12 Planning Application - Application No: 2022/90655

The Sub Committee gave consideration to Planning Application 2022/90655 Erection of 10 student residential units with associated landscaping land at, Manor Street, Newsome, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Sub Committee received representations from Tom Edwards (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(3), the Committee received a representation from Councillor Andrew Cooper (ward member).

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. Complete the list of conditions including those contained within the considered report including:

1. Three years timeframe for implementation.
2. Development shall be undertaken in accordance with the plans and specifications.
3. Prior to the superstructure commencing, samples of external facing materials and roofing materials to be submitted to the LPA.
4. The accommodation hereby permitted shall be used for students only.
5. Development shall not commence until the submission of a Phase 1 Report.
6. Submission of a Phase II Site Investigation Report (subject to findings of Phase 1 and include investigation of mine gas and intrusive investigations arising from coal mining legacy).
7. Submission of a Remediation Strategy (including related to coal mining legacy and mine gas).
8. Implementation of the Remediation Strategy.
9. Submission of a Validation Report.
10. Construction working times.
11. External lighting scheme.
12. No piped discharge of surface water until works to provide a satisfactory outfall has been achieved.
13. Details of the cycle store before building works commence and timescale for implementation and retention thereafter.

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14. Before development commences, details of the bin store (including design and materials) and its management and maintenance (including by a designated private management company) shall be submitted to the LPA.
15. Submission of an Ecological Design Strategy
16. Submission of hard and soft landscape plan, including boundary treatment.
17. Details of implementation, management and maintenance of hard and soft landscape plan.
18. Details of separate drainage systems for foul and surface water on and off site.

2. Secure a Section 106 agreement to cover the following matter:

Contribution toward sustainable transport fund – a contribution of £5,115.00

3. Pursuant to (2) above, in the circumstances where the Section 106 agreement has not been completed within three months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the mitigation and benefits that would have been secured; if so, the Head of Planning and Development is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors: P Davies, D Firth, Greaves, Hawkins, Homewood, Jo Lawson, McGrath, McGuin, Sokhal and Ullah (10 votes)

Against: Councillor Lee-Richards (1 vote).

13 **Planning Application - Application No: 2022/93251**

The Sub Committee gave consideration to Planning Application 2022/93251 Erection of rear dormer (within a Conservation Area) 10, Cecil Street, Springwood, Huddersfield.

Under the provisions of Council Procedure Rule 36(3), the Committee received a representation from Councillor Andrew Cooper (ward member).

RESOLVED –

That the application be refused in line with the following reasons outlined in the considered report:

The formation of a flat-roofed dormer extension on the rear roof pitch would cause harm to the significance of the Springwood Conservation Area by introducing a large, dominant, modern element in a roofscape which has otherwise retained its simple and traditional appearance. The harm that would be caused is considered to be less than substantial, but no public benefit has been demonstrated to justify the harm caused, contrary to the aims of paragraphs 199-202 of the National Planning Policy Framework (NPPF). It is therefore considered that the development proposed

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would not accord with the aims of Chapter 16 of the NPPF, Policies LP2, LP24a and LP35 of the Kirklees Local Plan or Key Design Principles 1-2 of the Council's adopted House Extensions and Alterations SPD.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors: P Davies, Greaves, Hawkins, Homewood, Jo Lawson, Sokhal and Ullah (7 votes)

Against: Councillor D Firth (1 vote)

Abstained Councillors: McGrath, McGuin and Lee-Richards

14 Planning Application - Application No: 2022/93846

The Sub Committee gave consideration to Planning Application 2022/93846 Erection of first floor extension above existing garage 29, Oldfield Road, Honley, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Sub Committee received representations from Phil Fletcher (agent) and Indy Sohal (applicant).

RESOLVED –

That the application be refused in line with the following reasons outlined in the considered report:

1. The proposed extension, by virtue of its size and scale, and due to other previous additions to the property, would result in a disproportionate addition to the original dwelling and therefore constitute inappropriate development in the Green Belt. In addition, the proposed development would have a detrimental impact upon the spatial and visual openness of the Green Belt. Very special circumstances to clearly outweigh the identified substantial harm to the Green Belt have not been demonstrated, therefore the development is contrary to Policy LP57 (a) of the Kirklees Local Plan and Policies contained within Chapter 13 of the National Planning Policy Framework.
2. By reason of its large scale and massing, form and relationship with the host dwelling, and taking into consideration previous extensions and additions to the dwelling, the proposed development fails to represent a subservient and harmonious addition to the dwelling, introducing an unsympathetic, incongruous and overly dominant addition which detracts from the original dwellinghouse. The development would therefore cause detrimental harm to visual amenities of the locality, contrary to Policies LP24(c) and LP57(d) of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document, Policy 2 of the Holme Valley Neighbourhood Development Plan and Policies contained within Chapter 12 of the National Planning Policy Framework.

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3. The proposed extension, by reason of its scale, proximity to No.31 Oldfield Road and protrusion beyond the rear wall of No.31 Oldfield Road, would result in an undue overshadowing and overbearing impact on the rear windows and amenity space of this adjacent property, as well as an undue loss of light and outlook to the rear windows, thereby detrimentally affecting the residential amenity of its occupants. To permit the extension would be contrary to Policy LP24 (b and c) of the Kirklees Local Plan, Principles 5 and 6 of the Council's adopted House Extensions and Alterations Supplementary Planning Document, Policy 2(10) of the Holme Valley Neighbourhood Development Plan and Policies contained within Chapter 12 of the National Planning Policy Framework.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors: P Davies, D Firth, Hawkins, Homewood, Jo Lawson, Lee-Richards, McGuin and Ullah (8 votes)

Against: Councillor McGrath (1 vote)

Abstained: Councillor Sokhal

15 **Planning Application - Application No: 2022/93520**

The Sub Committee gave consideration to Planning Application 2022/93520 Outline application for residential development adj, 47, Stile Common Road, Newsome, Huddersfield.

RESOLVED –

That the application be refused in line with the following reasons outlined in the considered report:

1. The application site comprises a prominent open garden area supported by retaining walls at the junction of Newsome Road with Stile Common Road. Due to its: prominent location, shape and site constraints; built development here would appear cramped, contrived and incongruous and fail to sympathetically integrate with the character and appearance of the area. In addition, due to the constraints of the site, any development could not form a coherent building line with surrounding development. The proposal would therefore fail to reinforce or enhance local distinctiveness contrary to Policy LP24(a) of the Kirklees Local Plan, Principles 2 and 5 of the Kirklees Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

2. The proposed development, due to its siting on a prominent, exposed, narrow and steeply sloping site, would fail to provide an adequate standard of useable, proportionate and private outdoor amenity space for future occupiers. This would be further constrained by the proximity of a busy road junction and bus stop. This would result in a poor living environment to future occupiers, contrary to Policy LP24(b) of the Kirklees Local Plan, Principle 17 of the Kirklees Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

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A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors: P Davies, D Firth, Greaves, Hawkins, Homewood, Jo Lawson, Lee-Richards, McGrath, McGuin and Ullah (10 votes)

Abstained: Councillor Sokhal