

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

Thursday 31st August 2017

Present: Councillor Terry Lyons (Chair)
Councillor Donna Bellamy
Councillor James Homewood
Councillor Bernard McGuin
Councillor Mohammad Sarwar
Councillor Ken Sims
Councillor Mohan Sokhal
Councillor Rob Walker
Councillor Linda Wilkinson
Councillor Andrew Marchington
Councillor Steve Hall

1 Membership of the Committee

Councillor Steve Hall substituted for Councillor Sheikh Ullah.

2 Minutes of previous meeting

The Minutes of the meeting held on 20 July 2017 be approved as a correct record.

3 Interests and Lobbying

Members declared interests and identified planning applications on which they had been lobbied as follows:

Councillor McGuin declared an other interest in item 12 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.

Councillors McGuin and Wilkinson declared that they had been lobbied on application 2017/91081.

Councillors McGuin and Sims declared that they had been lobbied on item 12.

Councillor Bellamy declared an other interest in items 2017/91361 and 2017/ 90516 on the grounds that she is a member of the Holme Valley Parish Council.

Councillor Sims declared he had been lobbied on applications 2017/91361 and 2017/90516.

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.

7 Site Visit - Application No: 2017/91081

Site visit undertaken.

8 Site Visit - Application No: 2017/91361

Site visit undertaken.

9 Site Visit - Application No: 2017/90516

Site visit undertaken.

10 Site Visit - Application No: 2017/91555

Site visit undertaken.

11 Local Planning Authority Appeals

That the report be noted.

12 Application for Extinguishment of Claimed Footpaths at Clayton Fields, Edgerton Road, and Provision of Alternative Routes

The Committee considered an application for an order to extinguish claimed public footpath rights over land at Clayton Fields and to provide alternative pedestrian routes.

The report outlined the context and background to the matter, consultees and their opinions, next steps and officer recommendations and reasons.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Jonathan Adamson and Bill McGee (Objectors) and Rob Stenhouse (speaking on behalf of the applicant).

RESOLVED –

Consideration of the application be deferred to provide officers with an opportunity to negotiate with the landowner the removal of the obstruction at Deveron Grove.

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

For: Councillors Bellamy, S Hall, Homewood, Lyons, Marchington, McGuin, Sarwar, Sims, Sokhal, Walker and Wilkinson (11 votes)

Against: (0 votes).

13 Planning Application - Application No: 2017/91361

The Sub-Committee gave consideration to Planning Application No: 2017/91361
Erection of 39 dwellings and associated landscaping Land at, Cross Lane, Scholes, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Robin Sherwell, Michael Howarth-Coyne, Eddie Dawson-Jones, Carolyn Newton and Michael Reader (Objectors), Alistair Cliff (agent) and Mark Bray (applicant). Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Cllr Nigel Patrick (Local Ward Member).

RESOLVED –

1) Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions contained within the considered report including:

1. 3 year time limit to commence development.
2. Development to be in accordance with the approved plans.
3. Samples of materials.
4. Finished Floor Levels.
5. Boundary Treatments and details of materials.
6. Drainage soakaway details including percolation tests and demonstration of adequately sized soakaways to be submitted and agreed.
7. Foul, surface and land drainage details to be submitted and agreed.
8. Overland flood routing details to be submitted and agreed.
9. Temporary flood routing details to be submitted and agreed.
10. Report of Unexpected Contamination.
11. Construction Method Statement.
12. Remove Permitted Development rights for outbuildings and rear extensions to properties.
13. Habitat enhancement.
14. Landscaping details to be provided and to be implemented and replaced if any trees die within 5 years.
15. Crime prevention.
16. Electric charging points.
17. Parking spaces prior to occupation.
18. Lighting Strategy.
19. Ecological Enhancement Strategy

2) The inclusion of the following additional conditions:

- a) That a travel plan be submitted for approval.

- 3) Secure a S106 agreement to cover the following matters:
- a) The provision of affordable housing on-site comprising 4no one bedroom apartments and 4no two bedroom properties (20% of total dwellings), tenure split to be agreed.
 - b) A financial contribution towards the provision of primary school places of £51,186 which would be specifically intended for Scholes Junior and Infant School.
 - c) A financial contribution towards the provision of secondary school places of £62,055 intended for Holmfirth High School.
 - d) That the off-site public open space contribution (£141,966) be reallocated for appropriate highway improvement measures in the locality (New Mill junction) to include the provision of passing places on the local highway network.
 - e) Maintenance for soakaways and wildflower area.

4) that, pursuant to (3) above, In the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Development Management shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Head of Strategic Investment 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:

A vote to refuse the application:

For: Councillors Bellamy, Marchington, McGuin, Sims and Wilkinson (5 votes)

Against: Councillors S Hall, Homewood, Lyons, Sawar, Sokhal and Walker (6 votes)

A vote to approve the application:

For: Councillors S Hall, Homewood, Lyons, Sawar, Sokhal and Walker (6 votes)

Against: Bellamy, Marchington, McGuin, Sims and Wilkinson (5 votes)

14 Planning Application - Application No: 2017/90602

The Sub-Committee gave consideration to Planning Application 2017/90602 Demolition of existing public house and erection of 26no. dwellings at Land Adjacent to Spotted Cow Public House, New Hey Road, Salendine Nook, Huddersfield.

RESOLVED –

1) Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions contained within the considered report including:

1. 3 year time limit for commencing conditions.
2. Development to be in accordance with approved plans.

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3. Landscape Scheme and maintenance (including scheme and future maintenance responsibility for the area between Plot 1 and New Hey Road).
 4. Protection of trees during development.
 5. Samples of materials (natural stone for some dwellings close to New Hey Road).
 6. Boundary treatments.
 7. Drainage conditions:
 - a) In accordance with FRA and Drainage Strategy;
 - b) run off rates;
 - c) surface water flood routing;
 - d) finished floor levels
 8. Environmental Health –
 - a) Noise attenuation;
 - b) Remediation/ decontamination/validation of works; and
 - c) provision of electric charging points
 9. Highways conditions –
 - a) right turn lane;
 - b) areas to be surfaced and drained;
 - c) internal adoptable roads ;
 - d) closure of existing access;
 - e) retention of PROW and retaining walls.
 10. Removal of Permitted Development rights on some plots, including no new windows or openings.
 11. Construction Management Plan.
 12. Bio diversity enhancement measures, bat and bird boxes
- 2) Secure a S106 agreement to cover the following matters:
- a) The provision of affordable housing (four units); and
 - b) The provision of an off-site contribution towards Public Open Space of £69,000; and
 - c) Education contribution of £64,248.
- 3) that, pursuant to (2) above, In the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Strategic Investment shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Head of Development Management 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: Bellamy, S Hall, Homewood, Lyons, Marchington, McGuin, Sarwar, Sims, Sokhal, Walker and Wilkinson (11 votes)
Against: (0 votes)

15 Planning Application - Application No: 2017/91173

The Sub-Committee gave consideration to Planning Application 2017/91173 Reserved matters application for erection of 16 dwellings pursuant to outline permission 2015/90507 for outline application for residential development (within a Conservation Area) Land off, Carr Top Lane, Golcar, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Jamie Pyper (agent).

RESOLVED -

Delegate approval of Reserved Matters and issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions contained within the considered report including:

1. Development carried out in accordance with approved plans.
2. Samples of materials to be submitted and agreed (to include retaining structures).
3. Protection of trees during construction; Construction Method statement.
4. Highway conditions- internal adoptable roads; gradients; visibility; provision and future maintenance of parking.
5. Construction Management Plan.
6. Provision of bio diversity enhancement opportunities.
7. Arboricultural method statement.
8. Details of any additional tree works during construction to be submitted and approved before being carried out.
9. Details of all boundary treatments, including that to separate site from 1 and 1A Carr Top Lane and the domestic curtilage of plots 9-13 from the wooded banking to the south of the site.
10. Details of the planting specifications along with the long term maintenance arrangements for the area of 'Public Open Space' provided on site as shown on the approved plan.

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

For: Councillors S Hall, Homewood, Lyons, McGuin, Sarwar, Sims, Sokhal and Walker (8 votes)

Against: Councillors: Marchington and Wilkinson (2 votes).

Abstained: Councillor Bellamy

16 Planning Application - Application No: 2017/90516

The Sub-Committee gave consideration to Planning Application 2017/90516 Reserved matters pursuant to outline permission 2015/91726 for erection of 10 dwellings Land adjacent to 38, Broad Lane, Upperthong, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from John Robinson (agent). Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Cllr Nigel Patrick (Local Ward Member).

RESOLVED -

Consideration of the application be deferred to allow officers to negotiate with the applicant a reduction in the number of proposed dwellings (density of development) due to concerns regarding the impact of the scale, layout and appearance of the submitted development.

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

A vote to approve the application:

For: Councillors: S Hall, Homewood, Sokhal and Walker (4 Votes)

Against: Bellamy, Lyons, Marchington, McGuin, Sims and Wilkinson (6 votes)

A vote to defer the application:

For: Councillors Bellamy, Homewood, Lyons, Marchington, McGuin, Sims, Sokhal, Walker and Wilkinson (9 votes)

Against: (0 votes)

Abstained: Councillor S Hall

17 Planning Application - Application No: 2017/91081

The Sub-Committee gave consideration to Planning Application 2017/91081 Erection of 4no. B1/B8 (Business/Storage & Distribution) units with associated plant store and hardstandings Tandem Way, Fenay Bridge, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Chris Halligan (agent).

RESOLVED –

1) Delegation approval of this application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions contained within the considered report including:

1. Standard 3 years to implement permission.
2. Standard condition requiring development to accord with approved plans.
3. No development on the buildings superstructure until samples of facing

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and roofing materials have been approved.

4. Development not to be brought into use until areas to be used by vehicles/pedestrians have been surfaced and drained.
5. Development not to be brought into use until vehicle turning facilities have been implemented.
6. The submission of a scheme providing drainage details for the site.
7. The submission of a scheme restricting surface water discharge from the site to 3 litres per second.
8. The implementation of an intrusive contaminated land survey.
9. The submission of a site remediation strategy if required.
10. Implementation of site remediation strategy if required.
11. Submission of remediation validation if required.
12. Hours of operation restricted to 07:00 to 22:00 Mon. to Sat.
13. The installation of electric vehicle charging points.
14. The submission of a travel plan.
15. The submission of details with regard to retaining walls close to or abutting the highway.
16. Details of cycle storage facilities.
17. The submission of a scheme detailing the design and construction details of alterations to the existing embankment/retaining walls adjacent to the A642.
18. The submission of an ecological design strategy which provides details of the means of installing green/living roofs on the site buildings and of the bird and bat boxes to be erected.
19. The submission and approval of a landscaping scheme (including maintenance arrangements).
20. The submission of a scheme indicating how the site will be artificially lit to ensure the protection of local bat populations.

2) Secure a Section 106 agreement from the applicant confirming a financial contribution of £5,000 towards the upgrade of an existing pedestrian crossing on Wakefield Road.

3) that, pursuant to (2) above, In the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Strategic Investment shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Head of Development Management 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 Bellamy, S Hall, Homewood, Lyons, Marchington, McGuin, Sims, Sokhal, Walker and Wilkinson (10 votes)

Against: (0 votes).

18 Planning Application - Application No: 2017/91555

The Sub-Committee gave consideration to Planning Application 2017/91555 Formation of driveway through ground floor of 35/37, alterations to form flat above and change of use of land to form parking and turning area 35, Upper Mount Street, Lockwood, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Javid Hussain (applicant).

RESOLVED –

Consideration of the application be deferred to allow the applicant to arrange a structural engineers report to outline the details of how the scheme could be implemented.

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

For: Councillors Bellamy, S Hall, Lyons, McGuin, Sims, Sokhal and Walker (7 votes)
Against: Councillors Homewood, Marchington and Wilkinson (3 votes)