

Contact Officer: Richard Farnhill

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

Thursday 17th August 2017

Present: Councillor Paul Kane (Chair)
Councillor Mahmood Akhtar
Councillor Michelle Grainger-Mead
Councillor John Lawson
Councillor Kath Taylor
Councillor Graham Turner
Councillor Bill Armer

1 Membership of the Committee

Councillor J Taylor to replace Cllr Dodds as a permanent member of the Committee.

Councillor Armer substituted for Councillor J Taylor.

Councillor E Firth substituted for Councillor Scott.

Councillor Marchington substituted for Councillor A Pinnock.

2 Minutes of Previous Meeting

RESOLVED –

That the Minutes of meetings held on 18 May and 29 June 2017 be agreed as a correct record.

3 Interests and Lobbying

Councillor Kane declared a disclosable pecuniary interest in application 2017/92152 due to him being the owner of the property and left the meeting during consideration of the item.

Councillor Kane indicated that he had been lobbied in respect of applications 2017/90661, 2017/92147, 2017/91660 and 2017/91267.

Councillor Grainger-Mead indicated that she had been lobbied in respect of application 2017/91660.

4 Admission of the Public

All items were considered in the public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked at the meeting.

7 Site Visit - Application No: 2017/92147

Site visit undertaken.

8 Site Visit - Application No: 2017/91660

Site visit undertaken.

9 Site Visit - Application No: 2017/90823

Site visit undertaken.

10 Site Visit - Application No: 2017/91046

Site visit undertaken.

11 Local Planning Authority Appeals

The Sub Committee received a report which set out the decisions that have been taken by the Planning Inspector in respect of Appeals submitted against decisions taken by the Local Planning Authority.

RESOLVED –

That the report be noted.

12 Submission of opposed definitive map modification order to the Secretary of State (DEFRA) and the Council stance on its determination - Batley public footpath 71, Hey Beck Lane

The Sub-Committee received a report which provided information on the submission of an opposed definitive map modification order to the Secretary of State DEFRA to add a public footpath to the definitive map and statement and to determine the stance to be taken by the Council as the order making authority in the determination process undertaken on behalf of the Secretary of State.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representation from David Storrie (on behalf of the landowner).

RESOVLED –

That, in accordance with the officer recommendation, the Council will take a neutral stance when submitting the Order to the Secretary of State for determination.

13 Planning Application - Application No: 2017/90661

The Sub-Committee gave consideration to Application 2017/90661 – Erection of 14 dwellings at Westfield Assessment Centre at 13 Westfields Road, Mirfield.

RESOLVED –

- 1) That the delegation of the approval of the application and the issuing of the Decision Notice to the Head of Strategic Investment be approved in order to complete the list of conditions, including those set out below, and secure a Section 106 Agreement to cover the following matters: the provision of affordable housing, units on site, the provision and future maintenance of open space on site and an off-site contribution of £44,000, metro cards - £6876.10;

Conditions

1. The inclusion of the standard time limit for commencement of development
 2. Development to be carried out in accordance with the approved plans
 3. Environmental Health conditions to include contaminated land remediation, air quality and provision of electric charging points
 4. Sample of materials; walling, roof, external doors, windows and boundary treatments to be provided
 5. Tree protection / method safe during construction to be submitted
 6. Landscape Plan / Bio diversity enhancement plan to be submitted
 7. Landscape and Ecological management plan to be submitted
 8. Advanced Bat Mitigation Scheme (pre-commencement condition)
 9. The inclusion of various conditions to be implements in the accordance with the submitted FRA - temporary grange scheme during construction.
 10. The inclusion of Highways conditions to include visibility, road up to adoptable standards, provision/ maintenance of parking
 11. The provision of the construction management plan
- 2) That, pursuant to (1) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Development Management shall be authorised to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that it would have secured, and would therefore be permitted 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 Akhtar, Armer, E Firth, Grainger-Mead, Kane, Lawson, Marchington, K Taylor and G Turner (9 votes)

Against: (no votes)

14 Planning Application - Application No: 2017/91046

The Sub-Committee gave consideration to Application 2017/91046 – outline application for demolition of existing buildings and structures and erection of residential development at Greenside Mill, Savile Road, Skelmanthorpe.

RESOLVED –

- 1) That the application be deferred.

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- 2) That, should the applicant not agree to an extension to time for the date after the next scheduled Heavy Woollen sub-Committee meeting, Officers be given delegated powers to refuse the application.

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

For: Councillors Akhtar, Armer, E Firth, Grainger-Mead, Kane, Lawson, Marchington, K Taylor and G Turner (9 votes)
Against: (no votes)

15 Planning Application - Application No: 2017/92147

The Sub-Committee gave consideration to Application 2017/92147 – Erection of single storey extension at 7 Woodfield Avenue, Staincliffe, Batley.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Nadeem Hussain (applicant) and Cllr Lowe (ward member).

RESOLVED –

That the determination of the application be deferred to enable further negotiations to take place with the applicant.

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

For: Councillors Akhtar, Armer, E Firth, Grainger-Mead, Kane, Lawson, Marchington, K Taylor and G Turner (9 votes)
Against: (no votes)

16 Planning Application - Application No: 2017/91660

The Sub-Committee gave consideration to Application 2017/91660 – Erection of single and two storey rear extension at 28 Lower Lane, Gomersal.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Anand Sundarsingh (applicant) and Jean Greenhalf (local resident).

RESOLVED –

That the application be refused as the proposed two storey extension, by virtue of its height and proximity to the boundary of the adjoining dwelling, would result in an overbearing and oppressive impact on the residential amenity of the occupants which, if approved, would be contrary to Policy D2.

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

For: Councillors Akhtar, Armer, E Firth, Grainger-Mead, Lawson, Marchington, K Taylor and G Turner (8 votes)
Against: Councillor Kane (1 vote)

17 Planning Application - Application No: 2017/90823

The Sub-Committee gave consideration to Application 2017/90823 – Installation of new shop front and entrance at 54 Calder Road, Lower Hopton, Mirfield.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Neil Lapusi (applicant).

RESOLVED –

That the application be refused on the grounds that the timber cladding proposed to be installed along the entire ground floor frontage would not be in-keeping with the character and appearance of the host dwelling and wider street scene which comprises predominately of stone-faced properties, and that to approve the application would be to the detriment of visual amenity and contrary to Policies D2, BE1, BE2 and BE16 of the Kirklees Unitary Development Plan, and Chapter 7 of the National Planning Policy Framework.

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

For: Councillors Akhtar, Armer, E Firth, Grainger-Mead, Kane, Lawson, Marchington, K Taylor and G Turner (9 votes)

Against: (no votes)

18 Planning Application - Application No: 2017/91267

The Sub-Committee gave consideration to Application 2017/91267– Outline application for demolition of existing farm buildings and erection of 5 detached dwellings at Dry Hill Farm, Dry Hill Lane, Denby Dale.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Noel Scanlon (acting for the applicant's agent) and Simon Blyth (applicant).

RESOLVED –

That the determination of the application be deferred to enable further discussions to take place with the applicant.

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

For: Councillors Akhtar, Armer, E Firth, Grainger-Mead, Lawson, Marchington, K Taylor and G Turner (8 votes)

Against: (no votes)

Abstained: Councillor Kane

19 Planning Application - Application No: 2017/92152

The Sub-Committee gave consideration to Application 2017/92152 – Erection of dwelling forming annex accommodation associated with 20 Bywell Close, Dewsbury.

RESOLVED –

That approval of the application be delegated to the Head of Strategic Investment in order to complete the list of conditions including; time limit for development, development to be carried out in accordance with approved plans, facing and roofing materials to match those on the host dwelling and permitted development rights to be removed for additional openings.

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

For: Councillors Akhtar, Grainger-Mead, S Hall, Holmes, Lawson, Pervaiz, A Pinnock and Scott (8 votes)

Against: (no votes)

(Councillor Kane left the meeting during the discussion and determination of this application)