

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

Thursday 28th September 2017

Present: Councillor Paul Kane (Chair)
Councillor Mahmood Akhtar
Councillor Michelle Grainger-Mead
Councillor John Lawson
Councillor Mussarat Pervaiz
Councillor Andrew Pinnock
Councillor Cathy Scott
Councillor Steve Hall
Councillor Lisa Holmes

Apologies: Councillor Kath Taylor

1 Membership of the Committee

Councillor S Hall substituted for Councillor G Turner.

Under the provisions of a 9 day change, Councillor Holmes substituted for Councillor J Taylor.

2 Interests and Lobbying

It was noted that all Members present had been lobbied on Applications 2017/91046 and 2017/91267.

Councillors Kane, Lawson and A Pinnock advised that they had been lobbied on Application 2014/91242.

Councillors Lawson, A Pinnock and Grainger-Mead advised that they had been lobbied on Application 2016/91287.

3 Admission of the Public

It was noted that all Agenda Items would be considered in public session.

4 Deputations/Petitions

No deputations or petitions were received.

5 Public Question Time

No questions were received.

6 Site Visit - Application No: 2017/90564

Site visit undertaken.

7 Site Visit - Site Visit - Application No: 2016/91287

Site visit undertaken.

8 Site Visit - Application 2017/90272

Site visit undertaken.

9 Site Visit - Application 2017/91900

Site visit undertaken.

10 Local Planning Authority Appeals

The Sub-Committee received a report which set out decisions which had been taken by the Planning Inspectorate in respect of decisions submitted against the decisions of the Local Planning Authority.

RESOLVED –

That the report be noted.

11 Planning Application - Application No: 2014/91242

The Sub-Committee gave consideration to Application 2014/91242 – Reserved matters application for erection of 47 dwellings at land off Ashbourne Drive, Cleckheaton.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Heather Freer and Lisa Moyser (local residents), Cllr Kath Pinnock (ward member) and Tom Cooke (applicant's agent).

RESOLVED –

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That the determination of the application be deferred in order to enable an Independent Safety Audit to be undertaken in relation to the crossing of the estate road over the existing farm track.

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

For: Councillors Akhtar, Grainger-Mead, S Hall, Holmes, Kane, Lawson, Pervaiz, A Pinnock and Scott (9 votes)

Against: (no votes)

12 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 Claire Parker-Hughill and Noel Scanlan (on behalf of the applicant) and Cllr Dodds (ward member).

RESOLVED –

That the application be refused on the grounds that (i) the site is located within the designated Green Belt whereby, as set out within the NPPF, the construction of new buildings is regarded as inappropriate development (ii) the proposed development would constitute inappropriate development in the Green Belt Which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (iii) the evidence submitted with the application does not outweigh the harm that would result to the Green Belt by reason of inappropriateness and harm to the openness and character of the Green Belt through new built form and the paraphernalia and activities associated with the domestic use of the site and (iv) the very special circumstances that are required to grant planning permission do not exist, and the proposals would conflict with Chapter 9 of the NPPF.

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

For: Councillors Akhtar, Grainger-Mead, S Hall, Holmes, Kane, Lawson, Pervaiz, A Pinnock and Scott (9 votes)

Against: (no votes)

13 Planning Application - Application No: 2017/91046

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

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Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Nick Willock (applicant's agent).

RESOLVED –

That the application delegated to Officers to Refuse on the grounds that the proposal fails to make any provision (i) for Public Open Space, contrary to Policy H18 of the Kirklees Unitary Development Plan and (ii) towards education improvements, contrary to the Council's Policy of 'Providing for Education Needs generated by New Developments'.

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

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

Against: (no votes)

Abstained: Councillor A Pinnock

14 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.

RESOLVED –

That authority be delegated to the Head of Development Management to approve the application, issue the decision notice and complete the list of conditions including matters relating to; the standard time limit for implementation of development (3 years), development to be carried out in accordance within approved plans and the external walls of the extension to be faced in red brick and the roof covered with tiles to match that used on the host dwelling.

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

For: Councillors Akhtar, Grainger-Mead, S Hall, Holmes, Kane, Lawson, Pervaiz, A Pinnock and Scott (9 votes)

Against: (no votes)

15 Planning Application - Application No: 2016/91287

The Sub-Committee gave consideration to Application 2016/91287 – Change of use of agriculture buildings to IT recycling business at Brookfield Farm, Brookfields Road, Wyke.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Cllr K Pinnock (ward member), Nicky Seal (applicant) and David Storrie (applicant's agent).

RESOLVED –

- 1) That authority be delegated to the Head of Development Management to approve a 12 month temporary permission, issue a decision notice and complete the list of conditions including matters relating to; restricting operations to IT recycling only and specifically excluding any other type of waste processing, restricting delivery and collection operations to those prescribed in the travel plan subject to amendment of the start times, limiting the gross weight of HGVs to 18 tonnes and limiting the number of HGVs visiting the site to 17 per week, HGVs delivering or collecting from the site shall not park at Brookfields Road or Brookfields Avenue at any time be it waiting to enter the site or for any other reason, requiring details to be submitted for approval of the proposed refuge areas/the setting back of the fence/provision of a path with protective hand-rail/increase in width of a single track road that is within the control of the applicant to 4.5m (to the Government's standard for permeable hard surfaces), that within 28 days of approval the scheme be completed and retained, that the access road be kept clear of mud and debris and hedgerows be controlled so as not to intrude within 4.5m width of the road, removing permitted development rights for enlargements or buildings, open storage shall be limited to the existing concrete hard surface immediately adjacent to the buildings, one vehicle charging point to be provided within 2 months of this decision notice and hours of use of the premises including deliveries to be controlled.
- 2) That the 12 month period commence after the completion of the final condition relating to highway improvement works, which shall be provided within three months of the date of issuing permission.

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

TO REFUSE;

For: Councillors Lawson and A Pinnock (2 votes)

Against: Councillors Akhtar, Grainger-Mead, S Hall, Holmes, Kane, Pervaiz and Scott (7 votes)

TO PERMIT 12 MONTH TEMPORARY PERMISSION;

For: Councillors Akhtar, Grainger-Mead, S Hall, Holmes, Kane, Pervaiz and Scott (7 votes)

Against: Councillors Lawson and A Pinnock (2 votes)

16 Planning Application - Application No: 2017/90272

The Sub-Committee gave consideration to Application 2017/90272– Outline application for erection of residential development (2 dwellings) at land to the rear of 119/127 Marsh Lane, Shepley.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Cllr J Taylor (ward member), Darrel Sykes (local resident) and Andy Keeling (applicant's agent).

RESOLVED –

That authority be delegated to the Head of Development Management to approve a 12 month temporary permission, issue the decision notice and complete the list of conditions including matters relating to; approval of the details of the layout/scale/appearance/landscaping, plans and particulars of the reserved matters, application for approval of any reserved matters, timeframe for implementation of the development, adequate sightlines at the access onto Marsh Lane along the full frontage of the site, surfacing and drainage of access/parking/turning areas, method of storage/access for waste, details of surface water disposal, provision of electric vehicle recharging point (one per dwelling), reporting of unexpected land contamination and requiring preliminary ecological appraisal and any follow up work or assessment.

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

For: Councillors Akhtar, Grainger-Mead, S Hall, Holmes, Kane, Lawson, Pervaiz, A Pinnock and Scott (9 votes)

Against: (no votes)

17 Planning Application - Application No: 2017/90564

The Sub-Committee gave consideration to Application 2017/90564 – Erection of extensions and outhouse to rear of 55 Caledonian Road, Savile Town, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Ayub Mitha (applicant) and Summiya Mitha (on behalf of the applicant).

RESOLVED –

That the application be refused on the grounds that the scale of the rear extension by reason of its size and projection would form an unacceptable relationship with the host property in terms of visual amenity due to the resultant bulk and massing and that to permit the extension would be contrary to Policies D2, BE1 and BE13 of the Kirklees Unitary Development Plan, and advice within the National Planning Policy Framework and Policy PLP24 (a and c) of the Publication Draft Local Plan.

Planning Sub-Committee (Heavy Woollen Area) - 28 September 2017

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

For: Councillors Grainger-Mead, S Hall, Holmes, Kane, Lawson, A Pinnock and Scott (7 votes)

Against: (no votes)

Abstained: Councillors Akhtar and Pervaiz

18 Planning Application - Application No: 2017/91900

The Sub-Committee gave consideration to Application 2017/91900 – Erection of front and rear dormers at 120 Savile Road, Savile Town, Dewsbury.

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

RESOLVED –

That the application be refused on the grounds that (i) the proposed front dormer, by virtue of its scale and position, would form an incongruous feature along Savile Road which would result in substantial harm to the character of the host property and the wider street scene and that to permit the front dormer would be harmful to visual amenity and contrary to policies D2, BE1, BE13 and BE15 of the Kirklees Unitary development Plan as well as the aims of chapter 7 of the National Planning Policy Framework and Policy PLP24 (a and c) of the Publication Draft Local Plan and (ii) the rear dormer, due to its elevated position, would result in an unacceptable loss of privacy for the occupants of no. 11 Warren Street and to permit the rear dormer would be harmful in terms of residential amenity and contrary to Policy D2 of the Kirklees Unitary Development Plan and the aims of Chapter 7 of the National Planning Policy Framework and Policy PLP24 (c) of the Publication Draft Local Plan.

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

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

Against: (no votes)

Abstained: Councillor Akhtar