

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

Thursday 23rd November 2017

Present: Councillor Terry Lyons (Chair)
Councillor James Homewood
Councillor Bernard McGuin
Councillor Mohammad Sarwar
Councillor Ken Sims
Councillor Mohan Sokhal
Councillor Sheikh Ullah
Councillor Rob Walker
Councillor Linda Wilkinson
Councillor Andrew Marchington
Councillor John Taylor

Apologies: Councillor Donna Bellamy

1 Membership of the Committee

Cllr Taylor substituted for Cllr Bellamy.

2 Minutes of previous meeting

The Minutes of the meeting held on 12 October 2017 were 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 Sims declared that he had been lobbied on application 2017/92605.

Councillors Marchington, Wilkinson, Sokhal, Ullah and Homewood declared that they had been lobbied on item 1- Modification of the definitive map and statement. Determination of Public rights of way and their status at Huddersfield 231, Nether Moor, South Crosland, Huddersfield. Definitive Map Modification Order Application to Record a Public Footpath (Add Footpath and Vary Particulars).

Councillor Rob Walker declared that he had been lobbied on application 2017/92274.

Councillor Ullah declared an 'other interest' in application 2017/91132 on the grounds that applicant was a friend.

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Councillor Lyons declared an 'other interest' in application 2017/91505 on the grounds that he was a member of Meltham Town Council.

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 Site Visit - Application No: 2017/91505

Site visit undertaken.

7 Site Visit - Application 2017/92605

Site visit undertaken.

8 Site Visit - Application 2017/92825

Site visit undertaken.

9 Site Visit - Application 2017/92274

Site visit undertaken.

10 Site Visit - Application 2017/92422

Site visit undertaken.

11 Site Visit - Application 2017/91132

Site visit undertaken.

12 Local Planning Authority Appeals

That the report be noted.

13 Modification of the definitive map and statement. Determination of Public rights of way and their status at Huddersfield 231, Nether moor, South Crosland, Huddersfield. Definitive Map Modification Order Application to Record a Public Footpath (Add Footpath and Vary Particulars).

The Committee considered a report that sought a decision on the modification of the definitive map and statement of public rights of way relating to Huddersfield 231, Nether Moor, South Crosland, Huddersfield.

The report outlined the context and background to the matter, information required to take a decision, next steps and officer recommendations and reasons.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Mark Weston (on behalf of the British Horse Society), Susan Carter, Christine Senior, Mark Corrigan (on behalf of Kirklees Bridleways Group), Sue Chadwick (all supported the officer recommendations) and Jonathan Bradley and Andy Dunlop (Public Rights of Way Consultant) (both of whom objected to the officer recommendations)

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Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Cllr Edgar Holroyd-Doveton (ward member for Holme Valley North).

RESOLVED – That the Service Director, Legal, Governance and Commissioning be authorised to make and seek confirmation of a definitive map modification order (“DMMO”) to record Huddersfield 231 as a public bridleway under section 53 (3) c (ii) of the Wildlife & Countryside Act 1981, in accordance with the conclusions in the considered report

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

For: Councillors Homewood, Lyons, Marchington, McGuin, Sawar, Sims, Sokhal, J Taylor, Ullah, Walker and Wilkinson (11 votes).

Against: (0 votes).

14 Planning Application - Application No: 2015/91664

The Sub Committee gave consideration to Planning Application 2015/91664 Outline application for residential development with details of access and provision of car parking and bin storage for previously approved adjacent apartments under application no. 17/90375 rear of 1A, St Johns Avenue, Newsome, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Jacqui Sullivan (objector) and Stewart Smith (applicant).

Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Cllr Julie Stewart-Turner (Local ward member).

RESOLVED – 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. Approval of the details of the appearance, layout, scale and landscaping of the site (hereinafter called ‘the reserved matters’) to be obtained from the Local Planning Authority in writing before any development is commenced.
2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the appearance, layout, scale and landscaping of the site, to be submitted in writing to the Local Planning Authority and carried out in full accordance with the approved plans.
3. Application for approval of any reserved matter to be made to the Local Planning Authority before the expiration of three years from the date of this permission.
4. The development hereby permitted to begin either before the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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5. The access road to be widened to achieve a road width of 4.5m with 0.6m margins to either side and completed in accordance with the approved details prior to the occupation of any approved dwellings.
6. Biodiversity mitigation/enhancement measures for bats and birds integral to new buildings or trees (if appropriate to species).
7. Reserved matter of 'landscape' to include native species of trees and/or shrubs to replace lost vegetation and enhance habitat networks.
8. Landscape management plan to detail how the landscaping will be managed to encourage biodiversity interest.
9. A scheme detailing the proposed internal adoptable estate roads to include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audit covering all aspects of work.
10. The approved vehicle parking areas to be surfaced in accordance with Guidance on the permeable surfacing of front gardens' published 13th May 2009.
11. Details for storage and collection of bins.
12. Electric vehicle charging points.

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

For: Councillors Homewood, Lyons, McGuin, Sawar, Sims, Sokhal, Ullah and Walker (8 votes).

Against: Councillors Marchington and Wilkinson (2 votes)

Abstained: Councillor J Taylor

15 Planning Application - Application No: 2017/92605

The Sub Committee gave consideration to Planning Application 2017/92605 change of use and alterations to wc to form revised public toilets, A1 (shops/retail), A2 (professional services) , A3 (cafe/restaurant) and A5 (hot food and takeaway) (within a Conservation Area) Public Conveniences, Station Road, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Greg Cropper and Tom Dixon (both on behalf of the applicant Holme Valley Parish Council).

Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Cllr Nigel Patrick (Local ward member)

RESOLVED – 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. The standard 3-year deadline for commencement of development
2. Development to be in accordance with approved plans.
3. Materials for door blocking up to match.
4. A3/A5 hours of use.

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5. A1/A2 hours of use.
6. Extract ventilation.

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

For: Councillors Homewood, Marchington, Sawar, Sokhal, Ullah and Wilkinson (6 votes).

Against: Councillors McGuin, Sims, J Taylor and Walker (4 votes)

Abstained: Councillor Lyons

16 Planning Application - Application No: 2017/92230

The Sub Committee gave consideration to Planning Application 2017/92230 Outline application for residential development Rodgers Plant Hire, Riverside Works, Woodhead Road, Honley, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Andrew Keeling (agent).

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. The standard outline condition regarding the submission of reserved matters.
 2. The standard outline condition regarding the implementation of reserved matters.
 3. The standard outline condition regarding the reserved matters submission time limit.
 4. The standard outline condition regarding the reserved matters implementation time limit.
 5. Ecology (lighting strategy)
 6. Ecology (design strategy)
 7. Contaminated land
 8. Affordable Housing (speculative)
 9. Public Open Space (speculative)
 10. Education (speculative)
 11. Noise mitigation report
 12. Ventilation Report
 13. Air Quality (Charging point)
 14. Drainage (scheme details)
 15. Drainage (separate foul/surface)
 16. Drainage (discharge rates)
 17. Drainage (storm event assessment)
 18. Drainage (ongoing maintenance)
 19. Highways (site access details)

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- 20. Highways (visibility splays)
- 21. Highways (provision of frontage footpath)
- 22. Highways (metro cards + details)

2. Secure a Section 106 agreement to cover the following matter:
 - The payment of a bond to cover the cost of constructing a section of footpath alongside the riverside from the site at a future date. Cost to be confirmed.
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 being 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:

For: Councillors Homewood, Lyons, Marchington, McGuin, Sawar, Sims, Sokhal, J Taylor, Walker and Wilkinson (10 votes).

Against: (0 votes).

17 **Planning Application - Application No: 2017/92825**

The Sub Committee gave consideration to Planning Application 2017/92825 Change of use of part of bakery to gymnasium 1, Ruth Street, Newsome, Newsome, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Jade Robshaw (applicant).

RESOLVED – 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. Hours of use
2. Noise mitigation plan
3. Obscure Glazing
4. Limiting the number of visitors

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

For: Councillors Homewood, Lyons, Marchington, McGuin, Sawar, Sims, Sokhal, J Taylor, Ullah, Walker and Wilkinson (11 votes).

Against: (0 votes).

18 Planning Application - Application No: 2017/93282

The Sub Committee gave consideration to Planning Application 2017/93282 outline application for erection of one dwelling 80, Cliff Road, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Andrew Keeling (agent) and Ailsa Stott (on behalf of the applicant).

RESOLVED – That consideration of the application be deferred to allow the applicant to:

1. Investigate alterations and extensions to original dwelling house and to demonstrate that a larger extension in Green Belt may be acceptable due to the medical special circumstance of the applicant.
2. Provide details of proposed alterations and extensions to original dwelling house.
3. Consult with Adult Social Care to undertake a needs assessment and provide a statement of need.

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

For: Councillors Homewood, Lyons, Marchington, McGuin, Sawar, Sims, Sokhal, J Taylor, Ullah, Walker and Wilkinson (11 votes).

Against: (0 votes).

19 Planning Application - Application No: 2017/91505

The Sub Committee gave consideration to Planning Application 2017/91505 outline application for erection of residential development Land off, Huddersfield Road, Meltham, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Andrew Keeling (agent).

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 and the update list including:
 1. 3 year time limit condition to implement the permission.
 2. Development to be in accordance with approved plans.
 3. Reserved matters to comprise natural stone and slate roofs
 4. Full drainage details to be submitted with reserved matters including percolation tests
 5. Foul water drainage details to be submitted with reserved matters.
 6. Flood routing
 7. Badger survey prior to commencement.
 8. Ecological enhancement plan and implementation to be submitted with reserved matters

9. Dwellings to be no more than 2 storeys in height
 10. Removal of permitted development rights
 11. Construction method statement
 12. Electric charging points with reserved matters.
 13. Contaminated land conditions
 14. Noise report to be submitted with reserved matters.
 15. Provision of Affordable Housing
 16. Provision of Public Open Space
 17. Access sightlines to be provided
 18. Scheme for street lighting
 19. Details of junction of estate road to be submitted
2. The inclusion of the following additional conditions:
 1. A Traffic Regulation Order in order to reduce the speed limit in front of the development site;
 2. A requirement for the developer to provide a new footpath connection from or near to the proposed development site to the Greenway.
 3. Secure a Section 106 agreement to cover the following matters:
 1. Contribution of £20,000 towards bus stop improvements;
 2. The provision of subsidised Metro Travel Cards for the benefit of future occupiers.
 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 Strategic Investment shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits being 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:

For: Councillors Lyons, McGuin, Sims, J Taylor and Walker (5 votes).

Against: Councillors Homewood, Sawar Sokhal and Ullah (4 votes).

Abstained: Councillors Marchington and Wilkinson

20 Planning Application - Application No: 2017/92274

The Sub Committee gave consideration to Planning Application 2017/92274 Formation of off street parking 90 A, Radcliffe Road, Wellhouse, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Alison Hadden (applicant).

RESOLVED – That consideration of the application be deferred to allow the applicant to try and achieve the visibility splays that will be required through a reduction in the height of the front garden.

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

For: Councillors Homewood, Lyons, Marchington, McGuin, Sawar, Sims, Sokhal, J Taylor, Ullah, Walker and Wilkinson (11 votes).

Against: (0 votes).

21 Planning Application - Application No: 2017/92422

The Sub Committee gave consideration to Planning Application 2017/92422 Erection of single storey side and rear extensions to dwelling, erection of machinery store and engineering operations 9, Clough Head, Slaithwaite Gate, Bolster Moor, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Nick Willock (on behalf of the applicant) and Chris Friend (applicant).

RESOLVED – That the application be refused in line with the following reasons that were included in the considered report:

1. The site lies within an area of designated Green Belt. The proposed side and rear extensions to the dwelling house would result in disproportionate additions over and above the size of the original building. The extensions therefore constitute inappropriate development that would be harmful to the openness of the Green Belt. The application is contrary to Policy D11 of the Unitary Development Plan, PLP 57 of the emerging Local Plan and paragraph 89 of the National Planning Policy Framework.

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

For: Councillors Homewood, Lyons, Marchington, McGuin, Sims, Sokhal, J Taylor, Ullah and Wilkinson (9 votes).

Against: (0 votes).

Abstained: Councillor Walker

22 Planning Application - Application No: 2017/91132

The Sub Committee gave consideration to Planning Application 2017/91132 Erection of two storey side extension to form enlarged Class A1 shop at ground floor with A2 office unit and residential flat above Fix It Supplies, 12b, Hillhouse Lane, Fartown, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Malcolm Sizer (on behalf of the applicant).

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RESOLVED – Contrary to the Officer's recommendation that the application be delegated to the Head of Strategic for approval subject to the inclusion of a condition requiring that any elevations of the building that are visible from Bradford Road or Hillhouse Lane be constructed from natural stone.

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

For: Councillors Homewood, Lyons, McGuin, Sims, Sokhal, J Taylor, Walker and Wilkinson (8 votes).

Against: (0 votes).