

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

Thursday 14th December 2017

Present: Councillor Paul Kane (Chair)
Councillor Mahmood Akhtar
Councillor Michelle Grainger-Mead
Councillor John Lawson
Councillor Andrew Pinnock
Councillor Cathy Scott
Councillor Kath Taylor
Councillor Graham Turner
Councillor John Taylor
Councillor Steve Hall

1 Membership of the Committee

Councillor S Hall substituted for Councillor Pervaiz.

2 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on November 2017 be approved as a correct record.

3 Interests and Lobbying

Councillors Lawson, A Pinnock, K Taylor, Grainger-Mead, J Taylor, G Taylor, C Scott, Kane and S Hall declared that they had been lobbied on Application 2017/92809.

Councillors S Hall and Kane declared that they had been lobbied on Application 2017/92211.

Councillors Lawson, J Taylor, Akhtar, S Hall, Scott, Kane, A Pinnock, Grainger-Mead and K Taylor declared that they had been lobbied on Application 2017/91139.

Councillor Grainger-Mead declared that she had been lobbied on Application 2017/93347.

Councillors Kane, Grainger-Mead, S Hall and Scott declared that they had been lobbied on Application 2016/92558.

4 Admission of the Public

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

5 Deputations/Petitions

None received.

6 Public Question Time

No questions were asked.

7 Site Visit - Application 2017/93347

Site visit undertaken.

8 Site Visit - Application 2017/91872

Site visit undertaken.

9 Site Visit - Application 2017/92396

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: 2017/92809

The Committee gave consideration to Application 2017/92809 – Outline application for erection of up to 55 dwellings and associated means of access at land off Kenmore Drive, Cleckheaton.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Joel Purnell (local resident) and Jonathan Ainley (applicant's agent).

RESOLVED – That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- 3 year time limit permission for submission of Reserved Matters
- Reserved matters of layout, scale, external appearance, and landscaping to be obtained
- Development to commence within two years of the date approval of the last reserved matters to be approved
- Development to be in accordance with approved plans
- Affordable Housing
- Education Contribution
- Public Open Space Provision
- Scheme of intrusive site investigations
- Submission of report of findings from site investigations
- Submission of scheme of remedial works for the shallow coal workings
- Implementation of remedial works
- Submission of an ecological design strategy
- Existing and proposed ground levels including sectional drawings
- Construction management plan
- Vehicle charging points
- Travel plan (to include mechanism for discounting high emission vehicle use and encouraging modal shift (ie, public transport, cycling and walking) as well as the uptake of low emission fuels and technologies
- Air quality impact assessment to be submitted

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Recorded Votes on this application were taken in accordance with Council Procedure Rule 42 (5) as follows;

To withdraw the application;

For: Councillors Lawson and A Pinnock (2 votes)

Against: Councillors Akhtar, Grainger-Mead, S Hall, Kane, Scott, J Taylor, K Taylor, G Turner (8 votes)

To approve the application (in accordance with officer recommendation)

For: Councillors Akhtar, Grainger-Mead, S Hall, Kane, Scott, J Taylor, K Taylor, G Turner (8 votes)

Against: (no votes)

Abstained: Councillors Lawson and A Pinnock

12 Planning Application - Application No: 2017/92211

The Committee gave consideration to Application 2017/ 92211– Erection of extensions, alteration to increase roof height to form second floor and erection of detached workshop Grove Cottage, 10 Grove Street, Norrishthorpe, Liversedge.

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

Under the provisions of Council Procedure Rule 36 (1) the Sub-Committee received a representation from Councillor

RESOLVED – That the application be delegated to officers to approve (Conditional full permission).

(The Committee resolution was contrary to the Officer's recommendation on the grounds that the application was not considered to be detrimental to visual or residential amenity).

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

For: Councillors Akhtar, Grainger-Mead, S Hall, Lawson, A Pinnock, Scott, J Taylor, K Taylor, G Turner (9 votes)

Against: (no votes)

Abstained: Councillor Kane

13 Planning Application - Application No: 2017/91139

The Committee gave consideration to Application 2017/91139 – Erection of place of worship and associated car park and landscape works (within a Conservation Area) at 10 Oxford Road, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from; Meg Winterburn, Ken Fedzin, Christopher Cundall, John Dennehy, Christine Sharpe, Nicola Colloby, Andrew Anderson, Rita Prasad, David Wood, Brian Land and Alan Keyworth (in objection to the application); Mohammed

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Hussain, Sabiha Laher, A Vania, Muhammad Afridi, Sophia Patel, A Raja, R Patel, Sajid Patel, Mamoon Ahmed, Waheeda Batha and Monhammad Dadibhai (in support of the application), Hasan Dadibhai (applicant) and Geoff Bowman (on behalf of the applicant).

RESOLVED – That the application be refused.

(The Committee resolution was contrary to the Officer's recommendation on the grounds that the proposed development was not considered to be in keeping with the conservation area and would constitute inappropriate development).

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

For: Councillors Grainger-Mead, J Lawson, A Pinnock, J Taylor, K Taylor and G Turner (6 votes)

Against: Councillors Akhtar, S Hall, Kane and C Scott (4 votes)

14 Planning Application - Application No: 2017/93347

The Committee gave consideration to Application 2017/93347 – Outline application for erection of 32 dwellings at land off Fieldhead Lane, Birstall, Batley.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Bryan Harnell (local resident).

RESOLVED – That authority be delegated to the Head of Strategic Investment to approve the outline application, issue the decision notice and complete the list of conditions including matters relating to;

- standard timeframe for submission of reserved matters
- requirement for reserved matters submission
- highways conditions (access, visibility splays, improvement of footpath along frontage)
- environmental health conditions (site remediation, noise mitigation, electric charging points)
- drainage conditions (surface water/run off and foul connections)
- tree protection
- bio diversity enhancement
- provision of affordable housing
- provision of public open space contribution
- footpath/cycleway connections from Fieldhead Lane into and through Oakwell Hall Country Park

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

For: Councillors Akhtar, Grainger-Mead, S Hall, Kane, Lawson, A Pinnock, Scott, J Taylor, K Taylor and G Turner (10 votes)

Against: Councillors (no votes)

15 Planning Application - Application No: 2017/91976

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The Committee gave consideration to Application 2017/91976 – erection of 11 dwellings at land at Savile Road, Savile Town, Dewsbury.

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

RESOLVED –

- (1) That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;
 - standard three years for commencement condition
 - development in accordance with approved plans
 - samples of materials
 - boundary treatments
 - finished floor levels and sections
 - decontamination, remediation strategy and validation report
 - drainage (surface water and foul) details to be submitted for confirmation
 - highway conditions (surfacing, layout of highway, and provision/surfacing of parking areas, bin collection areas
 - removal of permitted development rights for plots 4 and 5
 - submission of ecological design strategy
- (2) That authority be delegated to the Head of Strategic Investment to secure a variation to the existing Section 106 Agreement to cover;
 - off-site affordable housing contribution (£34,169)
 - education contribution (£25,183)
 - POS provision and maintenance (£48,603)
 - travel plan monitoring (£15,000; £3000 per annum for 5 years)
- (3) That, pursuant to (2) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Strategic Investment 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 would have been 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, Grainger-Mead, S Hall, Kane, Lawson, A Pinnock, Scott, J Taylor, K Taylor and G Turner (10 votes)

Against: Councillors (no votes)

16 Planning Application - Application No: 2017/91872

The Committee gave consideration to Application 2017/91872 – Alteration to convert existing commercial premises to 4 flats (listed building within a Conservation Area) at Methodist Resource Centre, 74 Daisy Hill, Dewsbury.

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RESOLVED – That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- development shall be begun within three years of the date of this permission
- development carried out in complete accordance with the plans and specifications
- submission of noise report before development commences
- provision of bin and cycle storage facilities before development first occupied
- facing material to be natural ashlar stone to match that used on the ground floor front elevation
- windows and doors to be timber frame

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

For: Councillors Akhtar, Grainger-Mead, S Hall, Kane, Lawson, A Pinnock, Scott, J Taylor, K Taylor and G Turner (10 votes)

Against: Councillors (no votes)

17 Planning Application - Application No: 2017/92396

The Committee gave consideration to Application 2017/92396 – Listed Building Consent for alteration to convert existing commercial premises to 4 flats (within a conservation area) at Methodist Resource Centre, 74 Daisy Hill, Dewsbury.

RESOLVED – That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- timeframe for implementation of development (3 years)
- development to be carried out in accordance with submitted plans
- details of the proposed windows including design and colour
- details of the proposed external doors, including design and material
- details of the build of the shop front, including design and materials and bonding (to fully match the existing shop front)

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

For: Councillors Akhtar, Grainger-Mead, S Hall, Kane, Lawson, A Pinnock, Scott, J Taylor, K Taylor and G Turner (10 votes)

Against: Councillors (no votes)

18 Planning Application - Application No: 2016/92558

The Committee gave consideration to Application 2016/92558 – Temporary Permission for the erection of single storey linked modular units Masjid-E-Noor Education Centre, Lees Hall Road, Thornhill Lees, Dewsbury.

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

RESOLVED – That the application be refused on the grounds that;

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- the proposal to provide additional class rooms in the form of a modular building to the rear of the main building would represent a significant increase in the capacity of the Masjid-E-Noor education centre
- the parking provision included within the proposals is insufficient and as such the intensification is considered to represent a significant hazard in terms of highways safety
- to permit the proposals would be contrary to policies D2, BE1, T10 and T19 of the Kirklees Unitary Development Plan, Policy PLP21 of the Publication Draft Local Plan and the aims of chapters 7 and 8 of the National Planning Policy Framework

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

For: Councillors Akhtar, Grainger-Mead, S Hall, Kane, Lawson, A Pinnock, Scott, J Taylor, K Taylor and G Turner (10 votes)

Against: Councillors (no votes)

19 Planning Application - Application No: 2017/93357

The Committee gave consideration to Application 2017/93357 – Erection of detached dwelling (modified proposal) Plot 1 at land to rear of 59 Far Bank, Shelley, Huddersfield.

RESOLVED –

- (1) That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;
 - 3 year time limit for implementation
 - development carried out in accordance with the plans and specifications
 - facing and roofing materials to be inspected and approved by the Local Planning Authority
 - appropriate surfacing of all areas indicated for vehicular access and turning area
 - no gates/barriers to be erected across the vehicular access from Far Bank
 - relocating of street lighting column
- (2) That a report regarding the discharge of the condition relating to the use of materials be submitted to this Sub-Committee.

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

For: Councillors Akhtar, Grainger-Mead, S Hall, Kane, Lawson, A Pinnock, Scott, J Taylor, K Taylor and G Turner (10 votes)

Against: Councillors (no votes)