

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

Thursday 4th January 2018

Present: Councillor Terry Lyons (Chair)
Councillor Donna Bellamy
Councillor James Homewood
Councillor Bernard McGuin
Councillor Ken Sims
Councillor Mohan Sokhal
Councillor Sheikh Ullah
Councillor Linda Wilkinson
Councillor Eric Firth
Councillor John Lawson

Apologies: Councillor Mohammad Sarwar
Councillor Rob Walker
Councillor Andrew Marchington

1 Membership of the Committee

Cllr E Firth substituted for Cllr Walker
Cllr Lawson substituted for Cllr Marchington

2 Minutes of previous meeting

The Minutes of the meeting held on 23 November 2017 were approved as a correct record.

3 Interests and Lobbying

Members declared interests and identified planning applications in which they had been lobbied.

Cllr McGuin declared he had been lobbied on application 2017/93483.

Cllr Bellamy declared an 'other interest' in item 13 application definitive map modification order to add a public bridleway to the definitive map and statement – Bridge Lane to Sands, Holmfirth on the grounds that she was a member of the Holme Valley Parish Council.

Cllr Bellamy declared an 'other interest' in applications 2017/93341, 2017/93386 and 2017/93834 on the grounds that she was a member of the Holme Valley Parish Council.

Cllr Sims declared that he had been lobbied on applications 2017/93341 and 2017/93386.

Cllr Homewood declared that he had been lobbied on application 2017/93288.

Planning Sub-Committee (Huddersfield Area) - 4 January 2018

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: 2016/91560

Site visit undertaken.

8 Site Visit - Application 2017/93288

Site visit undertaken.

9 Site Visit - Application 2017/93483

Site visit undertaken.

10 Site Visit - Application 2017/93341

Site visit undertaken.

11 Site Visit - Application 2017/93386

Site visit undertaken.

12 Local Planning Authority Appeals

That the report be noted.

13 Application for a definitive map modification order to add a public bridleway to the definitive map and statement - Bridge Lane to Sands, Holmfirth

The Committee considered a report that sought a decision on an application for a definitive map modification order to add a public bridleway to the definitive map and statement, Bridge Lane to Sands, Holmfirth.

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

Under the provisions of Council Procedure Rule 37, the Committee received representations from Dan Thomson, Bruce Jakeman and Andy Dunlop (Public Rights of Way Consultant) all of whom objected to the application and Nick Charlton (applicant).

RESOLVED – That the Service Director, Legal, Governance and Commissioning be authorised to:

- (1) make a definitive map modification order (“DMMO”) to record a restricted byway between points A & B and between points C & D shown on appended plan 1 of the considered report, under section 53 (3) c (ii) of the Wildlife & Countryside Act 1981.

Planning Sub-Committee (Huddersfield Area) - 4 January 2018

(2) Confirm the order or if opposed, to submit it to the Secretary of State at DEFRA to determine.

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

For: Councillors Bellamy, E Firth, Homewood, Lawson, Lyons, McGuin, Sims, Sokhal, Ullah and Wilkinson (10 votes).

Against: (0 votes).

14 Planning Application - Application No: 2016/91560

The Sub Committee gave consideration to Planning Application 2016/91560 Alterations to convert lower ground floor to two flats (Listed Building within a Conservation Area) 33-35, Queensgate, Huddersfield.

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

The flats would be served by windows predominantly below pavement level providing inadequate outlook towards retaining walls and limited access to natural light. In addition the impact from external activity in connection with the adjacent businesses, as well as unacceptable levels of noise and air pollution from the adjacent ring road would further compromise the amenities of the future residents. The proposals as such would result in a poor level of amenity for future occupants and fail to comply with the requirements of Policies D2 (v), BE1(iv), BE12, EP4 of the UDP, conflict with the paragraphs 17 (4th bullet point), 120 and 124 the National Planning Policy Framework and with Policies PLP24(b), PLP 51(3) and PLP52 of the Publication Draft Local Plan.

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

A vote to defer the application:

For: Councillor Sokhal (1 vote)

Against: Councillors Bellamy, E Firth, Homewood, Lawson, Lyons, McGuin, Sims, Ullah and Wilkinson (9 votes).

A vote to support the officer recommendation:

For: Councillors Bellamy, E Firth, Homewood, Lawson, Lyons, McGuin, Sims, Sokhal, Ullah and Wilkinson (10 votes).

Against (0 votes)

15 Planning Application - Application No: 2017/93288

The Sub Committee gave consideration to Planning Application 2017/93288 Erection of single storey front and rear extensions 15A, Whitacre Street, Deighton, Huddersfield.

Planning Sub-Committee (Huddersfield Area) - 4 January 2018

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:
 - (a) Development to be in accordance with approved plans.
 - (b) No new windows in the side elevation of the rear extension facing no. 15 Whitacre Street.
 - (c) Obscure glazing to the side elevation of the porch facing no. 15 Whitacre Street.

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

For: Councillors E Firth, Homewood, Lawson, Lyons, Sokhal, Ullah and Wilkinson (7 votes).

Against: Councillors Bellamy and Sims (2 votes).

Abstained Councillor McGuin

16 **Planning Application - Application No: 2017/93483**

The Sub Committee gave consideration to Planning Application 2017/93483 Erection of single storey rear extension and rear dormer windows 152, Ravensknowle Road, Dalton, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Anthony Mahon (Objector).

RESOLVED – That consideration of the application be deferred to allow officers time to bring back a revised report to the Committee outlining potential planning reasons to refuse the application on the grounds of overdevelopment, residential amenity and visual amenity.

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

A vote to accept the officer recommendation (approval)

For: Councillors Homewood, Lawson and Wilkinson (3 votes).

Against: Councillors Lyons, Sokhal and Ullah (3 votes).

Abstained : Councillors Bellamy, E Firth, McGuin and Sims

The Chair used his casting vote to defeat the motion.

A vote to defer consideration of the application.

For: Councillors Bellamy, E Firth, Homewood, Lyons, McGuin and Sims (6 votes).

Planning Sub-Committee (Huddersfield Area) - 4 January 2018

Against: Councillors Sokhal and Ullah (2 votes)

Abstained: Councillors Lawson and Wilkinson

17 Planning Application - Application No: 2017/93341

The Sub Committee gave consideration to Planning Application 2017/93341 Erection of extensions and alterations to existing detached garage to form dwelling with associated access, parking and curtilage areas Adj, 10, Cherry Tree Walk, Scholes, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Clive Nowell (objector) and Simon Hough (applicant)

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

The proposed dwelling by reason of its: scale, massing, siting within very close proximity to the highway and northern site boundary; design with a predominantly blank gable facing onto the Cherry Tree Walk and large dormers, would result in an incongruous form of development in a prominent location that would fail to integrate into or improve the established character of the area. The development is therefore contrary to Policies D2 (vi, vii), BE1 (i, ii), BE2 (i) and of the Kirklees Unitary Development Policy, PLP24 (a) of the Publication Draft Local Plan and the overarching aims and objections of Chapter 7 National Planning Policy Framework (2012) with particular reference to paragraph 64.

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

For: Councillors E Firth, Homewood, Lawson, Lyons, Sokhal and Wilkinson (6 votes).

Against: Councillors Bellamy, McGuin, Sims and Ullah (4 votes)

18 Planning Application - Application No: 2017/93386

The Sub Committee gave consideration to Planning Application 2017/93386 Erection of first floor extension with balcony Tara, Scholes Moor Road, Scholes, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Sarah Dixon, Richard Dixon (applicants) and Andy Rushby (on behalf of the applicant).

RESOLVED – That the application be delegated to the Head of Strategic Investment for conditional full permission.

Contrary to the officer's recommendation, the Committee considered that the scheme was not harmful to visual amenity and did not constitute an overdevelopment of the site.

Planning Sub-Committee (Huddersfield Area) - 4 January 2018

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

For: Councillors Bellamy, E Firth, Homewood, McGuin, Sims, Sokhal and Ullah (7 votes).

Against: Councillor Wilkinson (1 vote)

Abstained: Councillors Lawson and Lyons.

19 Planning Application - Application No: 2016/90524

Application withdrawn due to an error in the certificate of ownership.

20 Planning Application - Application No: 2017/93777

The Sub Committee gave consideration to Planning Application 2017/93777 Change of use from light industry / storage to martial arts gymnasium (D2) Springfield Mills, Dale Street, Longwood, 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:
 - (a) 3 year time limit to commence development.
 - (b) Development to be undertaken in accordance with the submitted plans and information.
 - (c) No windows within the south-western wall of the premises shall be open at any time when the facility is in use.
 - (d) No amplified music or speech on the premises at any time.
 - (e) No activities carried out on the premises outside the hours of 0800 to 2200 on any day.
2. An additional condition to prevent the use of the access to the first floor gym from Botham Hall Road being used for access or egress except in emergencies.

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

For: Councillors Bellamy, E Firth, Homewood, Lawson, Lyons, McGuin, Sims, Sokhal, Ullah and Wilkinson (10 votes).

Against: (0 votes).

21 Planning Application - Application No: 2017/93834

The Sub Committee gave consideration Planning Application 2017/93834 Erection of single storey side and rear extension Lansdowne House, Lane Bottom, Wooldale, Holmfirth.

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:

Planning Sub-Committee (Huddersfield Area) - 4 January 2018

- (1) Development to commence within 3 years of the date of the permission
- (2) Development to be in accordance with the approved plans.
- (3) Window in side elevation facing Lyncroft to be obscurely glazed.

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

For: Councillors Bellamy, E Firth, Homewood, Lawson, Lyons, McGuin, Sims, Sokhal, Ullah and Wilkinson (10 votes).

Against: (0 votes).