

Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

Thursday 25th January 2018

Present: Councillor Paul Kane (Chair)  
Councillor Michelle Grainger-Mead  
Councillor John Lawson  
Councillor Mussarat Pervaiz  
Councillor Andrew Pinnock  
Councillor Kath Taylor  
Councillor Eric Firth  
Councillor Steve Hall

Apologies: Councillor Mahmood Akhtar  
Councillor John Taylor

#### 1 Membership of the Committee

Councillor S Hall substituted for Councillor G Turner.  
Councillor E Firth substituted for Councillor C Scott.

Apologies for absence were received on behalf of Councillors Akhtar and J Taylor.

#### 2 Minutes of Previous Meeting

**RESOLVED** - That the minutes of the meeting held on 14 December 2017 be approved as a correct record.

#### 3 Interests and Lobbying

All Members present declared that they had been lobbied on Application 2017/93714.

Councillors Lawson and Kane declared that they had been lobbied on Application 2017/93222.

Councillors K Taylor and Grainger-Mead declared that they have been lobbied on Application 2017/93319.

Councillor S Hall declared that he had been lobbied on Application 2017/93674.

#### 4 Admission of the Public

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

#### 5 Deputations/Petitions

None received.

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### 6 Public Question Time

Councillor Bolt, speaking on behalf of a relative, declared an 'other' interest and asked questions with regards to (i) the description of applications in relation to registered use and (ii) regulations regarding amendments to the application following the advertisement period.

The Chair advised that a written response would be provided to Councillor Bolt, and also circulated to all Members of the Sub-Committee.

### 7 Site Visit - Application No: 2017/93932

Site visit undertaken.

### 8 Site Visit - Application No: 2017/93890

Site visit undertaken.

### 9 Site Visit - Application No: 2017/93674

Site visit undertaken.

### 10 Site Visit - Application No: 2017/93222

Site visit undertaken.

### 11 Site Visit - Application No: 2017/93470

Site visit undertaken.

### 12 Site Visit - Application No: 2017/93805

Site visit undertaken.

### 13 Site Visit - Application No: 2017/93714

Site visit undertaken.

### 14 Local Planning Authority Appeals

That the report be noted.

### 15 Planning Application - Application No: 2017/93319

The Committee gave consideration to Application 2017/93932 – Erection of 6 apartments at rear of 8 Crowlees Road, Mirfield.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Leonie Barrett, John Hellewell, Anthony Sowden, Martin Jones, Andrew Parker and Chris Todd (local residents), David Storrie (applicant's agent) and Carl Pickering (agent).

**RESOLVED** – That authority be delegated to the Head of Strategic Investment to await the expiry of the amended plans publicity period (19 January 2018), and provided that there are no new material considerations raised, refuse the application on the grounds that;

- (i) the proposed apartment block would be out of character along Crowlees Road being substantially larger in scale and massing than neighbouring properties which flank the site. The building would dominate the site and

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surrounding area, and the difference in land levels between the highway and the garden area is not sufficient to mitigate against the visual impact. Likewise the use of a dual pitch roof and dormers on the front elevation does not sufficiently alleviate the dominating height and mass of the building. The requirement for a proposed parking court to the front of the building would also be out of character with neighbouring properties which have extensive undeveloped garden areas. The proposed building in respect of its scale and massing would be incongruous as infill development, failing to retain a sense of local identity or be keeping with surrounding development. As such, the development would not achieve good design because it does not seek to promote or reinforce local distinctiveness, or respond to the local character of the area. To permit the development would be contrary to Policies D2, BE1, and BE2 of the Kirklees Unitary Development Plan, Policy PLP24 of the Publication Draft Local Plan, as well as the aims of the National Planning Policy Framework.

- (ii) the proposal would lead to an intensification of use of the access for both vehicular and pedestrian traffic and the application fails to illustrate adequate vehicular visibility splays for the safe and efficient use of the proposed access. To permit the development without providing adequate visibility, taking into account the increase in traffic movements which would occur, would not be in the interest of highway safety. As such, the proposal would be contrary to Policies D2 and T10 of the Kirklees Unitary Development Plan which states that highway safety should not be prejudiced and that new development will not normally be permitted if it will create or materially add to highway safety.
- (iii) the proposed apartment block by reason of its footprint and height would have a detrimental impact on the residential amenity of occupiers of neighbouring properties which flank the site. The proposed apartment block would be overbearing leading to a detrimental loss of outlook to neighbouring occupants to the north and north-west of the site, and would result in a detrimental loss of privacy to their garden areas. To approve the application would be contrary to policy D2 of the Kirklees Unitary Development Plan which stipulates development should protect the residential amenity of neighbouring residential properties.

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

For: Councillors S Hall, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock and K Taylor (7 votes)

Against: Councillor E Firth (1 vote)

### 16 **Planning Application - Application No: 2017/93932**

The Committee gave consideration to Application 2017/93932 – Erection of single storey rear extension and ramp (within a conservation area) at 15 Talbot Street, Batley.

**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;

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- three year time period for commencement
- development to be in accordance with approved plans and specifications
- materials to match those on host dwelling
- conservation style roof lights
- no new window openings in the rear elevation of the proposed extension

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

For: Councillors E Firth, S Hall, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock and K Taylor (8 votes)

Against: (no votes)

### 17 **Planning Application - Application No: 2017/93890**

The Committee gave consideration to Application 2017/93890 – Erection of single storey rear extension (within a conservation area) at 17 Talbot Street, Batley.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Fazila Loonat (local resident), Fatima Karolia (on behalf of the applicant) and Shoyeb Nana (agent).

**RESOLVED** - That authority be delegated to the Head of Strategic Investment to approve the application, subject to the negotiation of a revised design to support the canopy, issue the decision notice and complete the list of conditions including matters relating to;

- standard time limit for commencement of development
- development to be carried out in accordance with the submitted plans and information
- the columns of the canopy to match those used in the construction of the existing building

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

For: Councillors E Firth, S Hall, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock and K Taylor (8 votes)

Against: (no votes)

### 18 **Planning Application - Application No: 2017/93674**

The Committee gave consideration to Application 2017/93674 – Erection of class A1/A3 coffee shop with external seating area at land at Northgate Retail Park, Albion Street, Heckmondwike.

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

**RESOLVED** – That the application be deferred in order to enable further detail to be submitted regarding (i) proximity to nearby dwelling (ii) glazing options of proposed development and (iii) traffic movement/layout within the retail park.

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

For: Councillors E Firth, S Hall, Kane, Lawson, Pervaiz, A Pinnock and K Taylor (7 votes)

Against: Councillor Grainger-Mead (1 vote)

### **19 Planning Application - Application No: 2017/93222**

The Committee gave consideration to Application 2017/93222 – Installation of a sugar silo and associated concrete base at Tangerine Confectionary Limited at Westgate, Cleckheaton.

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

**RESOLVED** – That, contrary to the officer's recommendation, the application be refused on the grounds that the proposed development would have a detrimental impact upon residential amenity by virtue of its position, scale and height, and be contrary to Policy D2.

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

For: Councillors S Hall, Grainger-Mead, Lawson, Pervaiz, A Pinnock and K Taylor (6 votes)

Against: Councillors E Firth and Kane (2 votes)

### **20 Planning Application - Application No: 2017/93470**

The Committee gave consideration to Application 2017/93470 – Demolition of existing garage and erection of detached dwelling with integral garage and associated site works adjacent to 93 Stocks Bank Road, Mirfield.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Robin Lawrence (local resident) and David Storrie (applicant's agent).

**RESOLVED** – That, contrary to the officer's recommendation, the application be refused on the grounds that the proposed development by virtue of its scale and proximity to surrounding dwellings, would result in the overdevelopment of the site and have an overbearing impact upon residential amenity, contrary to Policy D2.

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

For: Councillors E Firth, S Hall, Lawson, A Pinnock and K Taylor (5 votes)

Against: Councillors Kane and Pervaiz (2 votes)

Abstained: Councillor Grainger-Mead

### **21 Planning Application - Application No: 2017/93805**

The Committee gave consideration to Application 2017/93805 – Change of use of ground floor flat to hairdressers (A1) (within a conservation area) at 95-99 Lane Head Road, Shepley.

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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;

- three year time limit to commence development
- development to be carried out in accordance with approved plans
- hours of opening

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

For: Councillors E Firth, S Hall, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock and K Taylor (8 votes)

Against: (no votes)

### **22 Planning Application - Application No: 2017/93714**

The Committee considered a request to defer the determination of Application 2017/93714 – Change of use of hairdressers to self-contained flat and alterations at 114 Brewery Lane, Thornhill Lees, Dewsbury.

**RESOLVED** – That the application be deferred.

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

For: Councillors E Firth, S Hall, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock and K Taylor (8 votes)

Against: (no votes)