

Contact Officer: Richard Dunne

## KIRKLEES COUNCIL

### PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

**Thursday 24th January 2019**

Present: Councillor Terry Lyons (Chair)  
Councillor Donna Bellamy  
Councillor Nell Griffiths  
Councillor Mohammad Sarwar  
Councillor Ken Sims  
Councillor Mohan Sokhal  
Councillor Sheikh Ullah  
Councillor Harpreet Uppal  
Councillor Bernard McGuin  
Councillor Steve Hall  
Councillor John Lawson

#### **1 Membership of the Committee**

Councillor Steve Hall substituted for Councillor James Homewood.

Councillor John Lawson substituted for Councillor Gemma Wilson.

#### **2 Minutes of previous meeting**

Subject to the changes below the Minutes of the meeting held on 13 December 2018 were approved as a correct record.

In relation to item 17 the following amendments were agreed:

1. That the title of the report be changed to read "Council stance on the definitive map modification order submitted to DEFRA. Public rights of way and their status at Huddersfield 231, Nether Moor Farm, Huddersfield."
2. That the surname of one of the representations received by the Committee be corrected to read Angela Bradley.

#### **3 Interests and Lobbying**

Cllrs McGuin, Lawson and S Hall declared that they had been lobbied on application 2018/93226.

Cllrs Griffiths, Uppal, Ullah and Sokhal declared that they had been lobbied on application 2018/93212.

Councillor Sokhal declared that he had been lobbied on application 2018/93073.

Councillor Bellamy declared an 'other interest' in application 2018/93127 on the grounds that she was a member of Holme Valley Parish Council

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Councillor Bellamy declared that she had been lobbied on applications 2018/92924 and 2018/92935.

### **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**

The Committee received a question from Councillor Bernard McGuin on behalf of a member of public regarding why there was no record of a vote in the minutes of the Huddersfield Planning Sub Committee meeting on 12 October 2017 in respect of item 17 - Pre-Application enquiry for the erection of café/restaurant and associated facilities at Castle Hill Side, Almondbury, Huddersfield

The Kirklees Development Management Group Leader responded on behalf of the Committee to the question

### **7 Site Visit - Application No: 2018/93073**

Site visit undertaken.

### **8 Site Visit - Application No: 2018/93228**

Site visit undertaken.

### **9 Local Planning Authority Appeals**

That the report be noted.

### **10 Planning Application - Application No: 2018/92934**

The Committee gave consideration to Planning Application 2018/92934 Outline application for erection of residential development former Gees Garage, New Hey Road, Outlane, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Jeremy Child (Agent).

### **RESOLVED –**

Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment to:

1. Complete the list of conditions including those contained within the considered report including:
  1. The 4 Standard conditions for outline permissions.
  2. Affordable Housing with reserved matters.
  3. Noise attenuation with reserved matters.
  4. Ecology with reserved matters.
  5. Public open space with reserved matters.
  6. Construction management plan.
  7. Electric charging points.
  8. Suite of contaminated land conditions.

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9. Details of any earthworks to be provided along with land levels at reserved matters.
  10. Crime Impact Assessment with reserved matters.
  11. Detailed drainage design.
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2. Secure a S106 agreement covering the following matters:
    1. Ensure that infrastructure and planning obligation requirements relating to planning applications 2018/92934 and 2018/92935 are considered and delivered cumulatively in order to accord with policy PLP5 of the Kirklees Publication Draft Local Plan.

Planning obligations to include:

- Education contribution
  - Affordable housing (20% of the total number of units)
  - Public Open Space (including provision for a Local Area of Play)
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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.
  4. That the reserve matters application is considered by the Committee.

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

For: Councillors Bellamy, Griffiths, S Hall, Lawson, Lyons, McGuin, Sarwar, Sims, Sokhal, Uppal and Ullah (11 votes)

Against : (0 votes)

### 11 **Planning Application - Application No: 2018/92935**

The Committee gave consideration to Planning Application 2018/92935 Outline application for erection of residential development land adj, former Gees Garage, New Hey Road, Outlane, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Jeremy Child (Agent)

#### **RESOLVED –**

Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment to :

1. Complete the list of conditions including those contained within the considered report including:
  1. The 4 standard conditions for outline permissions.
  2. Affordable Housing with reserved matters
  3. Noise attenuation with reserved matters.

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4. Ecology with reserved matters.
  5. Public open space with reserved matters.
  6. Construction management plan.
  7. Electric charging points.
  8. Contaminated land conditions.
  9. Details of any earthworks to be provided along with land levels at reserved matters.
  10. Crime Impact Assessment with reserved matters
  11. Detailed drainage design.
2. Secure a S106 agreement covering the following matters:
1. Ensure that infrastructure and planning obligation requirements relating to planning applications 2018/92934 and 2018/92935 are considered and delivered cumulatively in order to accord with policy PLP5 of the Kirklees Publication Draft Local Plan.

Planning obligations to include:

- Education contribution
- Affordable housing (20% of the total number of units)
- Public Open Space (including provision for a Local Area of Play)

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.

4. That the reserve matters application is considered by the Committee.

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

For: Councillors Bellamy, Griffiths, S Hall, Lawson, Lyons, McGuin, Sarwar, Sims, Sokhal, Uppal and Ullah (11 votes)

Against : (0 votes)

### 12 **Planning Application - Application No: 2018/93212**

The Committee gave consideration to Planning Application 2018/93212 Erection of 3 detached dwellings and garage ancillary to 33, Woodside Lane 33, Woodside Lane, Fixby, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Susan Crowley (objector) and Jeremy Child (Agent).

**RESOLVED –**

Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment to complete the list of conditions including those contained within the considered report and update list including:

1. Standard time limit for commencement of the development.
2. Development in accordance with approved plans.
3. Approval of samples of materials.
4. Remove permitted development rights for extensions on plot 3.
5. Details of internal adoptable estate road.
6. Surfacing of parking areas.
7. Reporting of unexpected contamination.
8. Electric vehicle charging points.
9. Biodiversity mitigation.
10. Soakaway drainage design (or alternative surface water drainage scheme if soakaways found to be unsuitable)
11. Construction management plan.
12. Condition survey of Woodside Lane pre and post development and scheme of repairs carried out as necessary.
13. No gates to be formed across the access to allow for vehicle turning plus signage to indicate availability of turning space.
14. Lighting design strategy
15. EDS
16. CEMP
17. No roof lights to garage

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

For: Councillors Bellamy, Griffiths, S Hall, Lawson, Lyons, McGuin, Sarwar, Sims, Sokhal, Uppal and Ullah (11 votes)

Against : (0 votes) list.

**13 Planning Application - Application No: 2018/93073**

The Sub Committee gave consideration to Planning Application 2018/93073  
Erection of three storey side and single storey rear extension and erection of dormers 215, Birkby Road, Birkby, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Michael Chow (Agent) and Navinder Uppal (applicant)

Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Councillor Richard Eastwood (Local Ward Member)

**RESOLVED –**

That consideration of the application be deferred to allow the applicants and officers an opportunity to discuss amendments to the scale and design of the development.

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

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For: Councillors Bellamy, Griffiths, S Hall, Lawson, Lyons, McGuin, Sarwar, Sims, Sokhal, Uppal and Ullah (11 votes)

Against : (0 votes)

### **14 Planning Application - Application No: 2018/93226**

The Sub Committee gave consideration to Planning Application 2018/93226  
Erection of two storey extension Brigsteer, 402, Birkby Road, Birkby, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Sheila Harrison, Carole Harden, Jennifer Hughes, Robert Taylor-Hughes and Christopher Harden (objectors) Becky Black, Ian Black, Shazad Akhtar, Becky Black on behalf of Misbah Bibi (in support) and Jeremy Child (Agent).

Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Councillor Richard Eastwood (Local Ward Member)

#### **RESOLVED –**

Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment to complete the list of conditions including those contained within the considered report including:

1. Development to be commenced within 3 years.
2. Development to be implemented in full accordance with plans and specifications.
3. Materials to match.
4. Construction management plan.
5. Removal of permitted development rights for extensions and outbuildings.

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

For: Councillors S Hall, Lyons, Sarwar, Sims, Sokhal, and Ullah (6 votes)

Against: Councillors Bellamy and Lawson (2 votes)

Abstained: Councillors McGuin, Griffiths and Uppal

### **15 Planning Application - Application No: 2018/93228**

The Sub Committee gave consideration to Planning Application Planning Application 2018/93228 Erection of single storey side and rear extension 10, Quarry Court, Longwood, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Susy Hellawell, Michael Hellawell, Chris Lawton, Nikki Lawton (objectors) and Matthew Jack (Agent).

Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Councillor Hilary Richards (Local Ward Member)

#### **RESOLVED –**

## **Planning Sub-Committee (Huddersfield Area) - 24 January 2019**

That consideration of the application be deferred to allow the applicants and officers an opportunity to discuss amendments to the design of the development.

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

For: Councillors Bellamy, Griffiths, S Hall, Lawson, Lyons, Sarwar, Sims, Sokhal, Uppal and Ullah (10 votes)

Against : Councillor McGuin, (1 vote)

### **16 Planning Application - Application No: 2018/94098**

The Sub Committee gave consideration to Planning Application 2018/94098 Discharge condition 3 (method statement) on previous permission for Listed Building Consent to remove fire-damaged debris from interior of mill building and weaving shed Newsome Mills, Ruth Street, Newsome, Huddersfield.

#### **RESOLVED –**

Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to discharge the condition 3 of previous permission 2017/93009.

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

For: Councillors Bellamy, Griffiths, S Hall, Lawson, Lyons, McGuin, Sarwar, Sims, Sokhal, Uppal and Ullah (11 votes)

Against : (0 votes)

### **17 Planning Application - Application No: 2018/93127**

The Sub Committee gave consideration to Planning Application 2018/93127 Demolition of existing dwelling and erection of replacement dwelling 54, Brockholes Lane, Brockholes, Holmfirth.

#### **RESOLVED –**

Planning Application 2018/93127 Demolition of existing dwelling and erection of replacement dwelling 54, Brockholes Lane, Brockholes, Holmfirth.

For: Councillors Bellamy, Griffiths, S Hall, Lawson, Lyons, McGuin, Sarwar, Sims, Sokhal, Uppal and Ullah (11 votes)

Against : (0 votes)