

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

Thursday 25th April 2019

Present: Councillor Paul Kane (Chair)
Councillor Mahmood Akhtar
Councillor Michelle Grainger-Mead
Councillor John Lawson
Councillor Mussarat Pervaiz
Councillor Andrew Pinnock
Councillor Cathy Scott
Councillor Graham Turner

Apologies: Councillor Kath Taylor
Councillor Mark Thompson

1 Membership of the Committee

There were no substitutions of membership. Apologies for absence were relived on behalf of Councillors Thompson and K Taylor.

2 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 21 March 2019 be approved as a correct record.

3 Interests and Lobbying

All Members advised that they had been lobbied on Application 2019/90269.

Councillors A Pinnock, Grainger Mead, Lawson, Turner and Kane advised that they had been lobbied on Application 2018/93781.

Councillors A Pinnock, Lawson, Turner, Pervaiz and Scott advised that they had been lobbied on Application 2019/90380.

Councillors Pervaiz and Scott advised that they had been lobbied on Application 2019/90122.

Councillor Kane advised that he had been lobbied on Application 2018/91866 and that he would not participate in the vote on this application.

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 Site Visit - Application No: 2019/90061

Site visit undertaken.

7 Site Visit - Application No: 2019/90122

Site visit undertaken.

8 Site Visit - Application No: 2019/90269

Site visit cancelled (application deferred).

9 Site Visit - Application No: 2019/90380

Site visit undertaken.

10 Site Visit - Application No: 2018/91866

Site visit undertaken.

11 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 of the Local Planning Authority.

RESOLVED - That the report be noted.

12 Planning Application - Application No: 2018/93781

The Committee gave consideration to Application 2018/93781 – Change of use of existing post office into living accommodation and erection of new post office/general store (modified proposal) with raised garden area and drive to rear of Hightown Post Office at 483 Halifax Road, Hightown, Liversedge.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Simon Russell (on behalf of the 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;

- time limit for implementing works
- development in accordance with approved plans
- materials
- surfacing and drainage
- delivery management plan

(2) That additional conditions be included (i) for the provision of a landscaping scheme which demonstrates a further reduction in the extent of the raised area in order to allow for improved vehicular passing along the driveway and (ii) requiring the completion of proposed roof works within 3 months of the issue of the decision notice.

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

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For: Councillors Akhtar, Kane, Lawson, Pervaiz, A Pinnock and Scott
(6 votes)

Against: Councillor Turner (1 vote)

Abstained: Councillor Grainger-Mead

13 **Planning Application - Application No: 2019/90380**

The Committee gave consideration to Application 2019/90380 – Outline application for erection of residential development and associated access at land at Green Acres Close, Emley.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Paula Kemp (local resident) and Andrew Kirby (on behalf of local residents). Under the provision of Council Procedure Rule 36a, the Sub Committee received a representation from Councillor Will Simpson.

RESOLVED – That the application be refused on the grounds that the proposed development would intensify vehicular movements on Warburton, increasing risk to pedestrian safety and the risk of conflicts between drivers, due to the lack of adequate footways, visibility and space for parking, therefore having a detrimental impact upon highways safety and being contrary to Kirklees Local Plan policies PLP5 and PLP21 (as modified).

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock, Scott and Turner (8 votes)

Against: (no votes)

14 **Planning Application - Application No: 2018/91866**

The Committee gave consideration to Application 2018/91866 – Demolition of existing dwelling and erection of 4 dwellings at 1 Ouzelwell Lane, Thornhill Lees, Dewsbury.

RESOLVED – That the application be refused on that grounds that the proposed dwellings (i) by virtue of the combination of their scale and design, would result in an incongruous and cramped form of development on a prominent corner site and would therefore be harmful to visual amenity, fail to add to the overall quality of the area and would not be visually attractive, and so would be contrary to Policy PLP 24 (as modified) of the Kirklees Local Plan as well as the aims of Chapter 12 of the National Planning Policy Framework and (ii) due to a combination of the proximity to the rear site boundary and the scale of the dwellings, would result in the overlooking and overbearing impact upon the rear elevation and the rear garden area of no.515 Lees Hall Road and so would be harmful to residential amenity and contrary to Policy PLP 24 (as modified) of the Kirklees Local Plan as well as the aims of Chapter 12 of the National Planning Policy Framework.

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

For: Councillors Grainger-Mead, Lawson, A Pinnock and Turner (4 votes)

Against: Councillors Akhtar, Pervaiz and Scott (3 votes)

Abstained: Councillor Kane

15 Planning Application - Application No: 2019/90061

The Committee gave consideration to Application 2019/90061 – Change of use of part A1 (shops) to A3 (restaurants and café) at Lala's Restaurant, 351A Bradford Road, 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;

- development to be in accordance with approved plans
- hours of use as stated in the application form

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock, Scott and Turner (8 votes)

Against: (no votes)

16 Planning Application - Application No: 2019/90269

The Committee gave consideration to Application 2019/90269 – Erection of detached dwelling and associated site works adjacent to 93 Stocks Bank Road, Mirfield.

RESOLVED – That the consideration of the application be deferred to in order to allow recently submitted amended plans to be assessed.

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock, Scott and Turner (8 votes)

Against: (no votes)

17 Planning Application - Application No: 2019/90122

The Committee gave consideration to Application 2019/90122 – erection of two storey and single storey rear extension, single storey front extension and alterations, and detached double garage with store and formation of access to Fir Grove, 21 Fir Parade, Ravensthorpe.

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Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Shakir Rafiq (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;

- three year timeframe for implementation
- development to be carried out in accordance with plans and specifications
- external walls and roofing materials of the extensions and detached garage to match those used in the construction of the existing building
- removal of permitted development rights for new openings in the side elevations of the extensions

(2) That a further condition be added which would remove permitted development rights for any further extensions or outbuildings, in the interest of residential amenity.

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock, Scott and Turner (8 votes)

Against: (no votes)