

Contact Officer: Richard Dunne

## KIRKLEES COUNCIL

### PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

Thursday 6th June 2019

Present: Councillor Terry Lyons (Chair)  
Councillor Nell Griffiths  
Councillor James Homewood  
Councillor Mohan Sokhal  
Councillor Sheikh Ullah  
Councillor Harpreet Uppal  
Councillor Donald Firth  
Councillor Nigel Patrick  
Councillor Bernard McGuin  
Councillor Alison Munro  
Councillor Aafaq Butt  
Councillor John Lawson

Apologies: Councillor Mohammad Sarwar  
Councillor Paul Davies  
Councillor Andrew Marchington  
Councillor Anthony Smith

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

Councillor Aafaq Butt substituted for Councillor Paul Davies.

Councillor John Lawson substituted for Councillor Andrew Marchington.

Councillor Alison Munro substituted for Councillor Anthony Smith.

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

The Minutes of the meeting held on 18 April 2019 were approved as a correct record.

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

Councillors Ullah, Griffiths, Uppal, Homewood, McGuin and Sokhal declared they had been lobbied on Item 14 applications for four definitive map modification orders to add a public footpath to the definitive map and statement, Highfield/Clare Hill, Huddersfield.

Councillor McGuin declared an 'other interest' in item 14 on the grounds he knew the applicant.

Councillors Homewood, Uppal, Griffiths, Ullah and Lyons declared they had been lobbied on application 2018/91300.

Councillor Lyons declared he had been lobbied on application 2018/93717.

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### 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: 2018/93717

Site visit undertaken.

### 8 Site Visit - Application No: 2018/90391

Site visit undertaken.

### 9 Site Visit - Application No: 2019/90734

Site visit undertaken.

### 10 Site Visit - Application No: 2018/93326

Site visit undertaken.

### 11 Site Visit - Application No: 2018/91300

Site visit undertaken.

### 12 Site Visit - Applications for four definitive map modification orders, to add a public footpath to the definitive map and statement, Highfields/Clare Hill, Huddersfield (DMMO application references 208, 209, 210 & 211).

Site visit undertaken.

### 13 Local Planning Authority Appeals

That the report be noted.

### 14 Applications for four definitive map modification orders, to add a public footpath to the definitive map and statement, Highfields/Clare Hill, Huddersfield (DMMO application references 208, 209, 210 & 211).

The Committee considered a report that outlined details of applications for four definitive map modification orders to add a public footpath to the definitive map and statement, Highfields/Clare Hill, Huddersfield (Application references 208,209, 210 & 211).

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

Under the provisions of Council Procedure Rule 37 the Committee received representations from Jonathan Adamson and Andy Dunlop.

**RESOLVED** – That the applications for the four definitive map modification orders ( application references 208,209,210 and 211) to add public footpaths to the definitive map and statement Highfields/Clare Hill, Huddersfield be refused on the grounds that there is insufficient evidence to demonstrate that a public right of way is reasonably alleged to subsist.

## **Planning Sub-Committee (Huddersfield Area) - 6 June 2019**

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

For: Councillors Butt, Griffiths, Homewood, Lyons, Sokhal, Uppal and Ullah (7 votes)

Against: Councillors D Firth, McGuin and Patrick (3 votes)

Abstained: Councillors Lawson and Munro.

### **15 Planning Application - Application No: 2018/91300**

The Committee gave consideration to Planning Application 2018/91300 Change of use of dwelling to Class D1 (non-residential institution) and formation of parking and associated landscape works Newhouse Farm, New House Road, Sheepridge, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Howard Belafonte, Robin Von Mickwitz (on behalf of Michael Hilton), Penny Weynberg, Margaret Lees, Christoph Von Mickwitz, Darrolynn Von Mickwitz (all objecting), Malcolm Sizer, Harnikh Singh, Jasbinder Kaur, Gurinder Atwar, Dr Tejinder Kaur-Desai and Sukhi Singh (all supporting).

**RESOLVED** – Delegate to the Head of Strategic Investment to approve (contrary to the officers recommendation to refuse).

The Committee considered that the public benefits of the development outweighed the harm to the significance of the designated heritage asset.

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

Vote 1 – Motion to support the officers recommendation to refuse

For: Councillors Homewood, Lawson and Munro (3 votes)

Against: Councillors Butt, D Firth, Griffiths, Lyons, Patrick, Sokhal, Uppal and Ullah (8 votes)

Abstained: Councillor McGuin.

Vote 2 – To approve the application.

For: Councillors Butt, D Firth, Griffiths, Lyons, Patrick, Sokhal, Uppal and Ullah (8 votes)

Against: Councillors Homewood, Lawson, McGuin and Munro (4 votes).

### **16 Planning Application - Application No: 2018/93326**

The Sub Committee gave consideration to Planning Application 2018/93326 Demolition of existing dwelling and erection of 5 detached dwellings with garages Corby, Birkby Road, Birkby, Huddersfield.

## Planning Sub-Committee (Huddersfield Area) - 6 June 2019

Under the provisions of Council Procedure Rule 37 the Committee received representations from Christopher Harden (objector) and Andy Rushby( on behalf of the applicant)

**RESOLVED** – That the application be refused for the following reasons outlined in the considered report:

- (1) By virtue of its density combined with the scale and mass of the proposed dwellings and their layout within the site, the proposal would result in an incongruous and cramped form of development which would fail to integrate with the existing built environment or to reflect the pattern of development in its immediate surroundings. It is therefore deemed to represent poor design and the proposal would represent an overdevelopment of the site. The development would unduly detract from the character of the surrounding area and cause harm to visual amenity, contrary to Policy LP24(a) of the Kirklees Local Plan as well as guidance within Chapter 12 of the National Planning Policy Framework.
- (2) The proposed layout, due to a combination of the proximity of dwellings to the southwestern (rear) boundary, their mass and scale, would result in an overbearing impact upon properties and their rear gardens adjacent to the site on Inglewood Avenue. This would also result in a poor standard of amenity for future occupiers. As such, the proposals would be harmful to residential amenity and contrary to Policy LP 24(b) of the Kirklees Local Plan as well as the aims of Chapter 12 of the National Planning Policy Framework, which seeks to, amongst other things, ensure that developments function well and provides a suitable standard of amenity for existing and future residents.

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

For: Councillors Butt, D Firth, Griffiths, Homewood, Lawson, Lyons, McGuin, Munro, Patrick, Sokhal, Uppal and Ullah (12 votes)

Against: (0 votes).

### 17 **Planning Application - Application No: 2018/93717**

The Sub Committee gave consideration to Planning Application 2018/93717 Erection of extensions and alterations to dwelling, erection of detached garage with office/store above and related landscape works (within a Conservation Area) Eastwood House, 14, Green Cliff, Honley, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Val Javin, Liz Oldfield (objectors) and Elaine Bedford (applicant).

**RESOLVED** – That the application be refused (contrary to the officers recommendation to approve).

The Committee considered that the scale of the proposed detached garage/store would be harmful to the visual amenity of the area.

## Planning Sub-Committee (Huddersfield Area) - 6 June 2019

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

Vote 1 – to support the officers recommendation to approve.

For: Councillors Homewood, Lawson, Munro and Uppal (4 votes)

Against: Councillors Butt, D Firth, Griffiths, Lyons, Patrick, Sokhal and Ullah (7 votes)

Abstained: Councillor McGuin.

Vote 2 – to Refuse the application.

For: Councillors Butt, D Firth, Griffiths, Lyons, McGuin, Patrick, Sokhal and Ullah (8 votes)

Against: Councillors Homewood, Lawson, Munro and Uppal (4 votes)

### 18 **Planning Application - Application No: 2018/90391**

The Sub Committee gave consideration to Planning Application 2018/90391  
Erection of hot food take-away adj, 364, Meltham Road, Netherton, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Malcolm Sizer (on behalf of the applicant)

**RESOLVED** – That the application be refused for the following reasons outlined in the considered report:

- (1) The proposed building, by reason of its siting and scale, would form an unduly prominent and incongruous feature in the street scene which would be harmful to the character and appearance of the area. This is contrary to Policy LP24(a) of the Local Plan and Chapter 12 of the National Planning Policy Framework.
- (2) The development would give rise to a loss of residential amenity as a result of noise and disturbance at unsocial hours and odours arising from the proximity of the flue to residential property, contrary to the aims of Policies LP24 (b) and LP52 and Chapter 12 of the National Planning Policy Framework.
- (3) The submitted plans and information have not satisfactorily demonstrated that adequate off-road parking for staff, customers, and delivery drivers, can be provided within or in the vicinity of the site. Furthermore the proposed location of the bin store would conflict with a car parking space and make it difficult for cleansing operatives to access bins. This would result in an unacceptable impact on highway safety contrary to Policy LP21(a) of the Local Plan and para 109 of the NPPF.

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

## **Planning Sub-Committee (Huddersfield Area) - 6 June 2019**

For : Councillors D Firth, Griffiths, Homewood, Lawson, Lyons, McGuin, Munro, Patrick and Uppal (9 votes)

Against : (0 votes)

Abstained: Councillors Butt, Sokhal and Ullah.

### **19 Planning Application - Application No: 2019/90734**

The Sub Committee gave consideration to Planning Application 2019/90734 Erection of front and rear extensions and alterations 38, Longden Avenue, Beaumont Park, Huddersfield.

**RESOLVED** – That the application be refused for the following reasons outlined in the considered report:

The proposed first floor rear extension, by reason of its siting, scale and design, would fail to respect the character and appearance of the host building or the surrounding area. This element of the proposal would result in a disproportionate and incongruous addition to the original dwelling. To approve the development would be contrary to Policy LP24 (a,c) of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

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

For: Councillors D Firth, Griffiths, Homewood, Lawson, Lyons, McGuin, Munro and Patrick (8 votes)

Against: Councillors Butt, Sokhal and Ullah (3 votes)

Abstained: Councillor Uppal

### **20 Planning Application - Application No: 2019/90623**

The Sub Committee gave consideration to Planning Application 2019/90623 Erection of cat cage and garden shed to front (within a Conservation Area) 22, Ottiwells Terrace, Marsden, Huddersfield.

**RESOLVED** - That consideration of the application be deferred to allow the Committee an opportunity to undertake a site visit.

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

For: Councillors Butt, D Firth, Homewood, Lawson, Lyons, Munro, Patrick, Sokhal, Uppal and Ullah (10 votes)

Against: Councillors Griffiths and McGuin (2 votes).