

Contact Officer: Richard Dunne

## KIRKLEES COUNCIL

### PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

Thursday 18th July 2019

Present: Councillor Terry Lyons (Chair)  
Councillor Nell Griffiths  
Councillor James Homewood  
Councillor Mohammad Sarwar  
Councillor Mohan Sokhal  
Councillor Sheikh Ullah  
Councillor Harpreet Uppal  
Councillor Paul Davies  
Councillor Andrew Marchington  
Councillor Anthony Smith  
Councillor Bernard McGuin  
Councillor Bill Armer

Apologies: Councillor Donald Firth  
Councillor Nigel Patrick

- 1 **Membership of the Committee**  
Councillor Bill Armer substituted for Councillor Donald Firth.
- 2 **Minutes of previous meeting**  
The Minutes of the meeting held on 6 June 2019 were approved as a correct record.
- 3 **Interests and Lobbying**  
Councillor Lyons declared he had been lobbied on application 2018/94120.  
  
Councillor Griffiths declared she had been lobbied on application 2019/90623.
- 4 **Admission of the Public**  
All items on the agenda were taken in public session.
- 5 **Deputations/Petitions**  
No deputations were received. A petition objecting to application 2018/90623 was received.
- 6 **Public Question Time**  
No questions were asked.
- 7 **Site Visit - Application No: 2019/90623**  
Site visit undertaken.
- 8 **Site Visit - Application No: 2018/94120**  
Site visit undertaken.

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**9 Site Visit - Application No: 2019/90356**

Site visit undertaken.

**10 Site Visit - Application No: 2019/90606**

Site visit undertaken.

**11 Local Planning Authority Appeals**

That the report be noted.

**12 Application for a Definitive Map Modification Order**

The Committee considered a report that outlined details of an application for an order to divert part of a public footpath Holmfirth 146.

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

**RESOLVED** – That the Committee authorise the Service Director, Legal, Governance and Commissioning to make and seek confirmation of an order under section 119 of the Highways Act 1980 to divert Holmfirth public footpath 146 (part) as shown in Plan 1 of the considered report and for a pedestrian gate to British Standard 5709:2018 at point D to be included in the order, rather than the kissing gate described in the application.

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

For: Councillors Armer, Davies, Griffiths, Homewood, Lyons, Marchington, McGuin, Sarwar, Sokhal, A Smith, Ullah and Uppal (12 votes)

Against : (0 votes)

**13 Planning Application - Application No: 2019/90623**

The 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.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Betty Oliver, Patricia Mann (objectors) Sue Haworth, Richard Haworth, Donna Bellamy (on behalf of Maggie Oddy) and Donna Bellamy (all in support).

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

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

The proposed cat cage and garden shed by reason of their scale, form, siting and materials would fail to preserve the character and appearance of the host building,

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the terraced row of dwellings of which it forms part of and the wider Marsden Conservation Area causing harm to its significance and to the visual amenity of the area in general. The harm is considered to be less than substantial harm, however, as required by paragraph 193 of the National Planning Policy Framework, great weight has been given to that harm in assessing the impact of the proposed development. Public benefits have not been demonstrated to outweigh the harm caused in this case. The development would therefore be contrary to the Council's duties under the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP24 (a and c) and LP35 of the Kirklees Local Plan and paragraphs 127, 130, 190, 193 and 196 of the National Planning Policy Framework.

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

For: Councillors Davies, Griffiths, Homewood, Lyons, Marchington, Sarwar, Sokhal, A Smith, Ullah and Uppal (10 votes)

Against: (0 votes)

Abstained: Councillors Armer and McGuin.

### 14 **Planning Application - Application No: 2018/94120**

The Sub Committee gave consideration to Planning Application 2018/94120 Erection of single storey outbuilding Blackberry Farm, 27, Crosland Edge, Meltham, Holmfirth

**RESOLVED** – That the application be approved (contrary to the officers recommendation to refuse).

The Committee considered that in this specific case there were very special circumstances that outweighed the harm to the Green Belt by reason of inappropriateness and other harm. The Committee also considered that the siting of the garage would be an improvement to the appearance of the garden area and the proposed green roof would make it more sympathetic to the surrounding green area. In addition the Committee felt that the outbuilding would not harm visual or residential amenity.

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

For: Councillors Armer, Lyons, Sarwar, Sokhal, A Smith and Ullah (6 votes)

Against: Councillors Davies, Griffiths, Homewood, Marchington, McGuin and Uppal (6 votes).

Cllr Lyons used the chairs casting vote to approve the application.

### 15 **Planning Application - Application No: 2019/90356**

The Sub Committee gave consideration to Planning Application 2019/90356 Erection of 7 dwellings Land Off, Station Road, Meltham, Holmfirth.

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**RESOLVED** – Delegate approval of the application and the issuing of the decision notice to the Head of Development and Master Planning in order to complete the list of conditions including those contained within the considered report including:

- (1) Time limit for commencement of the development (3 years).
- (2) Development to be in accordance with the approved plans.
- (3) Approval of samples of materials.
- (4) Remediation Strategy for contaminated land.
- (5) Validation report in relation to the site remediation.
- (6) Drainage design.
- (7) Vehicle charging points.
- (8) Details of visitor parking space in land to west.
- (9) Details for waste collection.
- (10) Turning head to be provided before occupation.
- (11) Construction management plan, including measures to ensure access to existing properties is maintained.
- (12) Surfacing of parking spaces.
- (13) Details of highway and footway works including street lighting and surface treatment of Station Road.
- (14) Lighting design strategy for biodiversity.
- (15) Ecological construction method statement.
- (16) Ecological design strategy

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

For: Councillors Armer, Davies, Griffiths, Homewood, Lyons, Marchington, McGuin, Sarwar, Sokhal, A Smith, Ullah and Uppal (12 votes)

Against: (0 votes)

### 16 **Planning Application - Application No: 2019/90606**

The Sub Committee gave consideration to Planning Application 2019/90606 Erection of 9 dwellings (modified house types) Land at, Stoney Bank Lane, Thongsbridge, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Christopher Peatfield (on behalf of the applicant).

**RESOLVED** – Delegate approval of the application and the issuing of the decision notice to the Head of Development and Master Planning in order to:

- (1) Complete the list of conditions including those contained within the considered report including:
  - (i) Time limit for the development.
  - (ii) Development to be in accordance with approved plans.
  - (iii) External facing materials as previously approved.

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- (iv) Internal access road to be completed in accordance with details pursuant to outline conditions
- (v) Drainage scheme to be completed in accordance with details pursuant to outline conditions.
- (vi) Withdraw permitted development rights.
- (vii) Finished floor & ground levels in accordance with drawing no. 4563-16-06-018 8. Storage and collection of wastes.
- (viii) Electric vehicle charging points.

- (2) Secure a deed of variation to the previously approved Section 106 Obligations covering the wider site.

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

For: Councillors Armer, Davies, Griffiths, Homewood, Lyons, Marchington, McGuin, Sarwar, Sokhal, A Smith, Ullah and Uppal (12 votes)

Against: (0 votes)

### 17 **Planning Application - Application No: 2019/91689**

The Sub Committee gave consideration to Planning Application 2019/91689 Erection of single storey extension 52, Brockholes Lane, Brockholes, Holmfirth.

**RESOLVED** – Delegate approval of the application and the issuing of the decision notice to the Head of Development and Master Planning in order to complete the list of conditions including those contained within the considered report including:

- (1) Development within 3 years
- (2) Development to be In accordance with the approved plans
- (3) Matching materials

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

For: Councillors Armer, Davies, Griffiths, Homewood, Lyons, Marchington, McGuin, Sarwar, Sokhal, A Smith, Ullah and Uppal (12 votes)

Against: (0 votes)