

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

Thursday 13th June 2019

Present: Councillor Paul Kane (Chair)
Councillor Mahmood Akhtar
Councillor John Lawson
Councillor Fazila Loonat
Councillor Mussarat Pervaiz
Councillor Andrew Pinnock
Councillor Nosheen Dad
Councillor Cathy Scott
Councillor Charlotte Goodwin
Councillor Kath Taylor
Councillor Graham Turner
Councillor Steve Hall
Councillor Mohan Sokhal

1 Membership of the Committee

There were no substitutions of membership.

2 Minutes of Previous Meeting

RESOLVED - That the Minutes of the Meeting held on 25 April 2019 be approved as a correct record subject to the amendment of the resolution text at Minute No. 12 to read as follows;

- (1) That authority be delegated to the Head of Strategic Investment to approve the application, upon the expiration of the publicity period (16 April 2019), 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 and 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.
- (3) That authority be delegated to the Head of Strategic Investment to secure a Section 106 agreement to cover matters relating to (i) the requirement for the existing retail shop to be converted into habitable accommodation in association with 483 Halifax Road and not be retained as a retail unit and (ii) the restriction of the occupation of 483 Halifax Road to that of the operators of the new store only.

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

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

Against: Councillor Turner (1 vote)

Abstained: Councillor Grainger-Mead

3 Interests and Lobbying

It was noted that all Committee Members had been lobbied on Application 2019/90269.

Councillors Kane and Scott advised that they had been lobbied on Application 2019/90813 and Councillor Kane advised that he would not participate in the determination of the application.

Councillor Kane advised that he had been lobbied on Application 2019/91110.

Councillor Grainger-Mead declared a disclosable pecuniary interest in Application 2019/91110 on the grounds that she is the spouse of the applicant and left the meeting during the determination of this application.

4 Admission of the Public

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

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked.

7 Site Visit - Application No: 2019/90813

Site visit undertaken.

8 Site Visit - Application No: 2019/90281

Site visit undertaken.

9 Site Visit - Application No: 2019/90269

Site visit undertaken.

10 Site Visit - Application No: 2019/91110

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: 2019/90813

The Committee gave consideration to Application 2019/90813 – Formation of private car park facility for the use of the community centre at 61 Battye Street – Land between St Philip’s Close and Battye Street, Dewsbury.

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;

- standard timeline for commencement of development (3 years)
- development to be in accordance with plans
- permeable hardstanding
- nothing to be planted/erected within a strip of land 2m deep from the carriageway edge of Battye Street which exceeds 1m in height
- arboricultural method statement to ensure mature poplar tree is to be retained
- scheme to detail CCTV measures at the site
- full detail of the position, height, material and design of any boundary treatment
- car park shall be used in association with the community facility operating at 61 Battye Street and shall not be used independently from it

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

For: Councillors Akhtar, Goodwin, Grainger-Mead, S Hall, Lawson, Loonat, Pervaiz, A Pinnock, Dad, Scott, K Taylor and Turner (12 votes)

Against: (no votes)

Abstained: Councillor Kane

13 Planning Application - Application No: 2019/90281

The Committee gave consideration to Application 2019/90281 – Erection of boundary wall and fence, and formation of children’s play area at Park Hotel, 125 High Street, Westtown, Dewsbury.

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;

- standard timeline for commencement of development (3 years)
- development to be in accordance with plans
- boundary walls to be constructed in natural stones to match the existing property at the application site
- all railings to be coloured black
- all parking area be surfaced, drained and marked out into bays in accordance with approved details

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

For: Councillors Akhtar, Goodwin, Grainger-Mead, S Hall, Kane, Lawson, Loonat, Pervaiz, A Pinnock, Dad, Scott, K Taylor and Turner (13 votes)

Against: (no votes)

14 **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.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Tony Sweeting and Robin Lawrence (local residents), Jake Hinchliffe (applicant's agent) and Dean Nibbs (applicant).

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;

- standard timeline for commencement of development (3 years)
- development to be in accordance with plans
- materials
- one charging point to be installed
- surfacing re parking area
- en-suite opening to be obscurely glazed
- boundary treatments to the side and rear to be retained
- window in side elevation of no. 93 to be blocked up prior to the commencement of development of the new dwelling
- drainage scheme

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

For: Councillors Akhtar, Dad, Goodwin, Kane, Lawson, Pervaiz and Scott (7 votes)

Against: Councillors Grainger-Mead, S Hall, Loonat, A Pinnock, K Taylor and Turner (6 votes)

15 **Planning Application - Application No: 2019/91110**

The Committee gave consideration to Application 2019/91110 – Change of use from A1 (retail) to A1 (retail) and A3 (restaurant/café/drinking establishment) (within a Conservation Area) at the Ginger Whale, 344 Oxford Road, Gomersal, Cleckheaton.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Peter Mead (applicant).

RESOLVED – That authority be delegated to the Head of Strategic Investment to approve the application as a temporary 12 month permission and issue a decision

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notice containing the following conditions; (i) other than the prior approved hours permitted under condition 2, the use hereby permitted shall not be open to customers outside the hours of 08:00 to 20:00 Monday to Saturday and 10:00 to 16:00 on Sundays and (ii) that for a temporary period of 12 months from the date of this permission the premises may be open to customers for the serving of alcohol for consumption on and off the premises limited to tasting events and invite only events between the hours of 20:00 and 23:00 on not more than two evenings per week between Monday and Saturday, on condition that details of the time and date have been provided to neighbouring occupants of Oxford Road (Nos. 342 and 348-352a inclusive) and Grove Street (Nos. 2-12 inclusive) in advance of such events.

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

For: Councillors Akhtar, Goodwin, S Hall, Kane, Lawson, Loonat, Pervaiz, A Pinnock, Dad, Scott, K Taylor and Turner (12 votes)

Against: (no votes)