

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

Thursday 25th July 2019

Present: Councillor Paul Kane (Chair)
Councillor Mahmood Akhtar
Councillor Michelle Grainger-Mead
Councillor Fazila Loonat
Councillor Mussarat Pervaiz
Councillor Andrew Pinnock
Councillor Nosheen Dad
Councillor Kath Taylor
Councillor Graham Turner
Councillor Steve Hall
Councillor Bill Armer
Councillor Andrew Marchington
Councillor Will Simpson

1 Membership of the Committee

Councillor Marchington substituted for Councillor Lawson.

Councillor Simpson substituted for Councillor Scott.

2 Interests and Lobbying

All Committee Members advised that they had been lobbied on Application 2019/91621.

Councillors S Hall, Kane and Pervaiz advised that they had been lobbied on Application 2019/91888.

Councillor Kane advised that he had ben lobbied on Application 2019/91068.

3 Admission of the Public

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

4 Deputations/Petitions

No deputations or petitions were received.

5 Public Question Time

No questions were asked.

6 Site Visit - Application No: 2019/91621

Site visit undertaken.

7 Site Visit - Application No: 2019/91888

Site visit undertaken.

8 Site Visit - Application No: 2019/90264

Site visit undertaken.

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9 Local Planning Authority Appeals

The Sub-Committee received a report which set out the decisions which had been taken by the Planning Inspectorate in respect of decisions of the Local Planning Authority.

RESOLVED - That the report be noted.

10 Planning Application - Application No: 2019/90264

The Committee gave consideration to Application 2019/90264 – Erection of 22 dwellings at land west of Oxford Road, Gomersal, Cleckheaton.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Joe Flanagan (applicant's agent).

RESOLVED –

1. That authority be delegated to the Head of Development and Master Planning to approve the application, issue the decision notice and complete the list of conditions including matters relating to;
 - standard time limit for commencement of development
 - in accordance with plans
 - sightlines provided/retained
 - appropriate coal legacy and contamination investigation
 - relevant drainage conditions
 - submission, implementation and retention of landscaping scheme (to include 2 specimens as part of the re-planting)
 - development to be carried out in accordance with Arboricultural Method Statement
 - submission of an Ecological Design Strategy
 - great crested newt method statement to be undertaken
 - protocol for removal of Himalayan balsam
 - adoptable road details
 - protected right turn details to be submitted and implemented, including a keep clear road marking on Oxford Road/A651 north
 - parking areas provided, surfaced and drained
 - submission of a construction management plan
 - submission of a noise mitigation strategy
 - non-habitable room side windows to be obscure glazed

2. That authority be delegated to the Head of Development and Master Planning to (i) finalise negotiations on outstanding technical matters relating to drainage and (ii) secure a S106 agreement to cover matters relating to;
 - public open space provisions including off-site commuted sum of £102,291 and future maintenance and management responsibilities of open space within the site
 - 20% of total number of dwellings (4) to be affordable, with all to be Discounted Market Sales Housing
 - Secure the provision and maintenance of surface water drainage/attenuation features

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- Secure the provision of off-site commuted sum for West Yorkshire Combined Authority Metro improvements
- 3. That, pursuant to (2) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Development and Master Planning shall be authorised to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, and would therefore be permitted to determine the Application and impose appropriate reasons for refusal under delegated powers.

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

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

Against: (no votes)

11 **Planning Application - Application No: 2019/91621**

The Committee gave consideration to Application 2019/91621 – Erection of side extension and single storey rear extension at 19 Staincliffe Road, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Betty Pickering (local resident).

RESOLVED - That authority be delegated to the Head of Development and Master Planning to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- standard 3 year time limit for commencement of development
- development to be carried out in accordance with plans
- external walls and roofing materials of the extensions (excluding the roofing material of the rear extension) to match the host building

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

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

Against: (no votes)

12 **Planning Application - Application No: 2019/91888**

The Committee gave consideration to Application 2019/91888 – Erection of single storey extensions and enlargement of dormer window to front at 3 Byron Grove, Dewsbury Moor.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Asif Hussain (applicant).

RESOLVED – That the application be refused on the grounds that the proposed side and rear extension, by reason of its projection, scale, bulk and massing would

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result in the formation of an incongruous feature which would be harmful to the character of the host property and the wider area, and that to permit such an extension, would be harmful to visual amenity and contrary to Policy LP24 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 Armer, Grainger-Mead, Kane, Pervaiz, Simpson, K Taylor and Turner (7 votes)

Against: (no votes)

Abstained: Councillors Akhtar, Dad, S Hall, Loonat, Marchington and A Pinnock.

13 Planning Application - Application No: 2019/91068

The Committee gave consideration to Application 2019/91068 – Demolition of existing storage unit and erection of replacement storage unit (Class B8) at land at William Street, Ravensthorpe.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Mr Hussain (applicant) and Mr Raja (applicant's agent).

RESOLVED - That authority be delegated to the Head of Development and Master Planning to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- standard 3 year time limit for commencement of development
- development in accordance with plans
- facing and roofing materials
- vehicle parking areas to be permeable surfacing
- electric charging points
- hours of use (deliveries to or dispatches from the premises should not take place outside the times of 08:00 to 18:00 Monday to Saturday – no activities to take place on Sundays or Bank Holidays)
- building shall only be used for storage purposes
- reporting of unexpected land contamination
- submission of a drainage strategy
- development to be carried out in accordance with the Flood Risk Assessment (prepared by Innvvision design Ltd, updated December 2018, submitted under 2018/93195)
- development to be carried out in accordance with the revised Design and Access Statement

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

For: Councillors Akhtar, Armer, Dad, Grainger-Mead, S Hall, Kane Loonat, Marchington, Pervaiz, A Pinnock, Simpson and K Taylor (12 votes)

Against: (no votes)

Abstained: Councillor Turner