

PB8

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KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

Thursday 9 April 2015

Present: Councillor Kane (in the Chair)
Councillors Bellamy, Calvert, D Firth, E Firth, S Hall, Hemingway, Iredale,
Lyons, Sarwar, Sokhal and Wilkinson

1 Membership of the Committee

Councillor E Firth substituted for Councillor Walton.

2 Site Visits

The Sub-Committee visited the sites of the following proposals:

- (a) Application 2014/92280 - Erection of detached dwelling adjacent to 77 Wessenden Head Road, Meltham, Holmfirth.
- (b) Application 2014/93961 - Erection of boundary fence to the existing Lindley Infant School and Lindley Junior School at Lindley CE (VA) Infant School, East Street, Lindley, Huddersfield.
- (c) Application 2013/94063 - Change of use, extension and alterations of former funeral home and workshops to form meeting rooms and office facilities. Removal of existing roof and replacement with flat roof to accommodate hidden solar panels. Change of use of agricultural land to form car park at 615 New Hey Road, Mount, Huddersfield.
- (d) Application 2014/93692 - Outline application for erection of 2 dwellings at land adjacent to 720 New Hey Road, Outlane, Huddersfield.
- (e) Application 2015/90002 - Erection of one dwelling and garage, alterations to access and demolition of existing building at Upper Snow Lea Farm, Lamb Hall Road, Longwood, Huddersfield.

3 Minutes of previous meeting

The Minutes of the meeting of the Sub Committee held on 26 February 2015 were approved as a correct record.

4 Interests and Lobbying

In connection with item 13 – Planning Applications, Members declared interests and identified planning applications in which they had been lobbied as follows:

Councillor Hemingway lobbied on Application 2014/93961.

Councillor Iredale declared a predetermination to Application 2015/90002 on the grounds that she had publicly expressed an opinion on the application.

Councillor Sokhal lobbied on Application 2014/93692.

Councillor Lyons declared an 'other' interest on Application 2014/92280 on the grounds that he lived in close proximity to the proposed dwelling.

5 Admission of the Public

The Sub Committee considered the question of the exclusion of the public and determined that all items be taken in public session.

6 Deputations/Petitions

No deputations or petitions were received.

7 Local Authority Appeals

The Sub Committee received a report which set out details of the decisions of the Planning Inspectorate in respect of appeals submitted against decisions of the Local Authority.

RESOLVED – That the report be noted.

8 Planning Applications

The Sub Committee considered the schedule of the Planning Applications. Under the provisions of the Councils Procedural Rule number 37, the Sub Committee heard representations from the members of the public in respect of the following applications;-

- (a) Application 2014/92280 – Erection of detached dwelling adjacent to 77 Wessenden Head Road, Meltham, Holmfirth - Iain Tavendale (speaking on behalf of the applicant)
- (b) Application 2014/93961 – Erection of boundary fence to the existing Lindley Infant School and Lindley Junior School at Lindley CE (VA) Infant School, East Street, Lindley, Huddersfield - Ian Gibbs (Chair of Governors in support) and Councillor Cahal Burke (Ward Councillor)
- (c) Application 2013/94063 – Change of use, extension and alterations of former funeral home and workshops to form meeting rooms and office facilities. Removal of existing roof and replacement with flat roof to accommodate hidden solar panels. Change of use of

agricultural land to form car park at 615 New Hey Road, Mount, Huddersfield - Andrew Keeling (speaking on behalf of the applicant) and Councillor Andrew Marchington (Ward Councillor)

- (d) Application 2014/93692 – Outline application for erection of 2 dwellings at land adjacent to 720 New Hey Road, Outlane, Huddersfield - Michael Chow (agent), Farid Eatessami and Hamid Merghan (applicants) and Councillor David Ridgway (Ward Councillor)
- (e) Application 2015/90002 – Erection of one dwelling and garage, alterations to access and demolition of existing building at Upper Snow Lea Farm, Lamb Hall Road, Longwood, Huddersfield - Steve Williams (applicant), John Pearcey (objector), Councillor Iredale and Councillor Marchington (Ward Councillors)
- (f) Application 2014/93929 – Erection of single storey extension at 1 Drake Hill Cottages, Hey Slack Lane, Whitley Common, Huddersfield - Andrew Keeling (speaking on behalf of the applicant)

RESOLVED - That the applications under the planning acts included in the list submitted for the consideration of the Sub Committee be determined as now indicated and that the schedule of such decisions be circulated to Members.

DOC1468

KIRKLEES COUNCIL
LIST OF PLANNING APPLICATIONS DECIDED BY
PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)
9 APRIL 2015

APPLICATION NO.	DESCRIPTION, LOCATION OF PROPOSAL AND DECISION
2014/92280	<p>J Askew – Erection of detached dwelling – adj 77 Wessenden Head Road, Meltham, Holmfirth, HD9 4HR</p> <p>CONDITIONAL FULL PERMISSION, SUBJECT TO THE DELEGATION OF AUTHORITY TO OFFICERS TO (i) IMPOSE ALL NECESSARY AND APPROPRIATE CONDITIONS (ii) AND TO ISSUE THE DECISION</p> <p>A recorded vote was taken in accordance with Council Procedure Rules as follows:</p> <p>FOR: Councillors Hemingway, Bellamy, D Firth, S Hall, Iredale, Sokhal, Calvert, Sarwar and Lyons (9 Votes)</p> <p>AGAINST: Councillors E Firth, Wilkinson and Kane (3 Votes)</p>
2014/93961	<p>Nicola Beaumont – Erection of boundary fence to the existing Lindley Infant School and Lindley Junior School - Lindley CE VA Infant School, East Street, Lindley, Huddersfield, HD3 3NE</p> <p>DEFERRED (TO ALLOW THE APPLICANTS AN OPPORTUNITY TO INVESTIGATE OPTIONS TO MITIGATE THE IMPACT ON RESIDENTIAL AND VISUAL AMENITY FOR THE FENCING PROPOSED ALONG THE WESTERN BOUNDARY OF THE SITE TO GEORGE STREET)</p> <p>A recorded vote was taken in accordance with Council Procedure Rules as follows:</p> <p>FOR: Councillors Hemingway, Bellamy, D Firth, E Firth, S Hall, Wilkinson, Iredale, Sokhal, Calvert, Sarwar, Lyons and Kane (12 Votes)</p> <p>AGAINST: (0 Votes)</p>
2013/94063	<p>Mark Foster, The Office Hub – Change of use, extension, and alterations of former funeral home and workshops to form meeting rooms and office facilities. Removal of existing roof and replacement with flat roof to accommodate hidden solar panels. Change of use of agricultural land to form car park – 615 New Hey Road, Mount, Huddersfield, HD3 3YE</p> <p>CONDITIONAL FULL PERMISSION SUBJECT TO THE DELEGATION OF AUTHORITY TO OFFICERS TO: (i) SECURE A SECTION 106 LEGAL AGREEMENT TO ENSURE THE OPERATION OF THE SITE IS LIMITED TO SHORT TERM LEASE B1 OFFICE USE. (ii) IMPOSE ALL NECESSARY AND APPROPRIATE</p>

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2013/94063 Cont'd

CONDITIONS. WHICH MAY INCLUDE THOSE SET OUT IN THE SUBMITTED REPORT, AND
(iii) SUBJECT TO THERE BEING NO SUBSTANTIVE CHANGES THAT WOULD ALTER THE RECOMMENDATION TO ISSUE THE DECISION NOTICE.

A recorded vote was taken in accordance with Council Procedure Rules as follows:

FOR: Councillors Hemingway, Bellamy, D Firth, E Firth, S Hall, Sokhal, Sarwar, Lyons and Kane
(9 Votes)

AGAINST: Councillors Wilkinson, Iredale and Calvert (3 Votes)

(The decision was made in line with the reasons given in the officer's report)

2014/93692

Queenscourt Development – Outline application for erection of 2 dwellings – Land Adjacent, 720, New Hey Road, Outlane, Huddersfield, HD3 3YQ

REFUSAL

(1) The site is located within the Green Belt, and as it is outside the settlement boundary of Outlane on the Kirklees Unitary Development Plan, it is not classed as infill development within an existing settlement or village for the purposes of Policy D13. Neither would the development satisfy the criteria set out in Policy D13 for infill development in the Green Belt. It would therefore constitute inappropriate development in the Green Belt which, which by definition is harmful to the Green Belt. It would significantly harm the openness of the Green Belt, especially given the elevated and prominent nature of the site. No very special circumstances have been demonstrated that clearly outweigh the harm to the Green Belt by reason of inappropriateness and other harm. It would therefore be contrary to the aims of Policy D13 of the Unitary - Development Plan and the National Planning Policy Framework - Protecting Green Belt land.

(2) The site is located within close proximity to the M62 motorway and its slip road from junction 23. For these reasons the area experiences poor air quality. The submitted air quality assessment fails to demonstrate that future occupiers of the proposed residential development would enjoy a good standard of amenity which is not adversely affected by unacceptable levels of air pollution. The development would therefore be contrary to Chapter 11 Conserving and enhancing the natural environment of the National Planning Policy Framework.

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2014/93692 Cont'd

(3) The site is located within close proximity to the M62 motorway and its slip road from junction 23. For these reasons it is subject to high levels of noise. The submitted noise assessment fails to demonstrate that future occupiers of the proposed residential development would enjoy a good standard of amenity which is not adversely affected by unacceptable levels of noise pollution. The development would therefore be contrary to Policy EP4 of the Kirklees Unitary Development Plan and Chapter 11 Conserving and enhancing the natural environment of the National Planning Policy Framework.

A recorded vote was taken in accordance with Council Procedure Rules as follows:

(1) A motion to approve the application

FOR: Councillors Sokhal, Calvert, Sarwar and Lyons
(4 Votes)

AGAINST: Councillors Hemingway, Bellamy, D Firth, E Firth, S Hall, Wilkinson, Iredale and Kane
(8 Votes)

(2) A vote to accept the officer recommendation

FOR: Councillors Hemingway, Bellamy, D Firth, E Firth, S Hall, Wilkinson, Iredale and Kane
(8 Votes)

AGAINST: Councillors Sokhal, Calvert, Sarwar and Lyons
(4 Votes)

(The decision was made in line with the reasons given in the officer's report)

2015/90002

Mr & Mrs S Williams – Erection of one dwelling and garage, alterations to access and demolition of existing building – Upper Snow Lea Farm, Lamb Hall Road, Longwood, Huddersfield, HD3 3TH

CONDITIONAL FULL PERMISSION

(1) The development hereby permitted shall be begun within three years of the date of this permission.

(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

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2015/90002 Cont'd

(3) Development shall not commence until details of external materials to be used on the hereby approved dwelling, and retaining structures have been submitted to and approved in writing by the Local Planning Authority. No materials other than those approved in accordance with this condition shall be used.

(4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order with or without modification) no development included within Classes A, B, C, D, E and F of Part 1 or Classes A or B of Part 2 of Schedule 2 to that Order shall be carried out.

(5) Notwithstanding the approved plans, the domestic curtilage of the dwelling house hereby approved shall be limited to the area outlined in red on the hereby approved Proposed Site Layout Plan Drawing Number Pp 01.12.14 as submitted on 21 January 2015.

(6) A scheme detailing the boundary treatment of the all the site shall be submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme completed prior to the occupation of the hereby approved dwelling. The boundary treatment shall thereafter be retained in accordance with the approved details.

(7) The visibility splays as shown on the hereby approved Proposed Site Plan Drawing Number Pp 01.12.14 submitted on 21 January 2015 shall be laid out and completed before the development is brought into use. Thereafter the visibility splays shall be retained with no obstruction above the level of the adjacent carriageway in accordance with the details indicated on approved plan Pp 01.12.14.

(8) The development shall not be brought into use until all areas indicated to be used for access/parking/turning on the approved plans have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order) this shall be so retained, free of obstructions and available for the uses specified on the submitted/listed plans thereafter.

(9) The gradient of the driveway to the hereby approved dwelling shall not be steeper than 1 in 20 for the first 5.0 metres from the carriageway of Lamb Hall Road and the remainder of the

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driveway shall be no steeper than 1 in 8. The works to form the driveway shall be retained thereafter.

(10) Before development commences details of storage and access for collection of wastes from the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

(11) Notwithstanding the approved plans, the development shall be carried out in complete accordance with the following ecological measures:

* One bat box, in the form of a Schweglar type 1FR bat box or similar, shall be installed integral to the new dwelling within the site, during the construction phase. The box shall be installed on the south facing wall and be located at least 4 metres from the ground and not above windows or doors to avoid nuisance from bat droppings.

* One woodcrete sparrow terrace nest box shall be installed, integral to the new dwelling within the site, during the construction phase. The box shall be installed in the north facing wall at least 3 metres from the ground and not located above windows or doors.

The above bat and bird boxes provided shall be installed before the dwelling is first occupied and hereafter be retained.

(12) Development shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) has been submitted to and approved in writing by the Local Planning Authority.

(13) Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 12 development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

(14) Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 13 development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

(15) Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 14. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the

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Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all works on site (save for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the Local Planning Authority, works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

(16) Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

Note regarding gates and barriers

Any gates or barriers for or over a vehicular access or egress proposed under condition 6 should be set back 5 metres from the back of carriageway and hung as to only open inwards. So long as such gates or barriers are in position they should be retained to only open inwards. This is to avoid any conflict with the public highway.

Note to Applicant Regarding Condition 8 – Surfacing

Link to Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens' published 13th May 2009 (ISBN 9781409804864):

www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens

Note to Application Regarding Works Which Affect the Highway

The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 0800 7318765) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

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Note to Applicant Regarding Construction Site Noise

As there are residential premises very close to the North West boundary of the site, please apply the following footnote to any consent granted:

To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours Mondays to Fridays

08.00 and 13.00hours Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice.

This notice can specify the hours during which work may be carried out.

Note to Applicant Regarding Vegetation and Building Clearance

Vegetation and building clearance should be undertaken outside of the bird breeding season, March to September inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

A recorded vote was taken in accordance with Council Procedure Rules as follows:

FOR: Councillors D Firth, E Firth, S Hall, Sokhal, Calvert, Sarwar, Lyons and Kane
(8 Votes)

AGAINST: Councillor Hemingway (1 Vote)

ABSTAINED: Councillors Bellamy and Wilkinson

(The decision was made in line with the reasons given in the officer's report and the update list)

APPLICATION NO. DESCRIPTION, LOCATION OF PROPOSAL AND DECISION

2014/93929

S Hollingworth – Erection of single storey extension - 1 Drake Hill Cottages, Hey Slack Lane, Whitley Common, Huddersfield, HD8 8YD

REFUSAL

(1) The proposed extension, by reason of its design and scale when considered cumulatively with the existing two storey side extension and detached outbuilding, would represent a disproportionate addition to the original building of 1 Drake Hill Cottage. This would constitute inappropriate development in the Green Belt which is harmful to the Green Belt by definition. No very special circumstances have been demonstrated that clearly outweigh the harm to the Green Belt by reason of inappropriateness or other harm. The extension would therefore fail to comply with Policy D11 of the Kirklees Unitary Development Plan and Chapter 9 of the National Planning Policy Framework.

A recorded vote was taken in accordance with Council Procedure Rules as follows:

FOR: Councillors S Hall, Wilkinson, Iredale, Sokhal, Calvert, Sarwar, Lyons and Kane
(8 Votes)

AGAINST: Councillors Hemingway, Bellamy, D Firth and E Firth
(4 Votes)

(The decision was made in line with the reasons given in the officer's report)