

Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

Thursday 17th October 2019

Present: Councillor Paul Kane (Chair)  
Councillor Mahmood Akhtar  
Councillor Michelle Grainger-Mead  
Councillor John Lawson  
Councillor Fazila Loonat  
Councillor Andrew Pinnock  
Councillor Nosheen Dad  
Councillor Cathy Scott  
Councillor Charlotte Goodwin  
Councillor Graham Turner  
Councillor Steve Hall

Apologies: Councillor Mussarat Pervaiz  
Councillor Kath Taylor

**1 Membership of the Committee**

Apologies for absence were received on behalf of Councillors Pervaiz and K Taylor.

**2 Minutes of Previous Meeting**

**RESOLVED** – That the Minutes of the Meeting held on 5 September 2019 be approved as a correct record.

**3 Interests and Lobbying**

Councillors Akhtar, Dad, Grainger-Mead, Kane, Loonat, Scott and Turner advised that they had been lobbied on Application 2019/90155.

Councillor Dad advised that she had been lobbied on Application 2019/91766.

Councillor Grainger-Mead declared an 'other' interest in Application 2019/91346 on the grounds that she knew the applicant and left the meeting during the consideration and determination of the application.

**4 Admission of the Public**

All agenda items were considered in public session.

**5 Deputations/Petitions**

No deputations or petitions were received.

**6 Public Question Time**

No questions were asked.

## Planning Sub-Committee (Heavy Woollen Area) - 17 October 2019

### 7 **Site Visit - Application No: 2019/91766**

Site visit undertaken.

### 8 **Site Visit - Application No: 2019/91346**

Site visit undertaken.

### 9 **Site Visit - Application No: 2019/90155**

Site visit undertaken.

### 10 **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.

### 11 **Planning Application - Application No: 2019/91529**

The Sub-Committee gave consideration to Application 2019/91529 – Outline application for erection of one detached dwelling at 99 Knowl Road, Mirfield.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Tony Dennis (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 timeframe for submission of reserved matters
- in accordance with plans
- sightline provided/retained
- parking areas provided, surfaced and drained
- entrance widened to 6m and wall reduced for the extent shown on the submitted plan
- reporting of any unexpected land contamination
- submission of up to date ecological survey information at the reserved matters stage for landscaping and layout – the report shall demonstrate sufficient avoidance, mitigation, compensation and enhancement measures to provide a biodiversity net gain
- provision of electric vehicle charging point (one charging point per dwelling with a dedicated parking space)
- footnote relating to an aboricultural method statement
- footnote relating to suggested construction hours due to the close proximity of unrelated residential properties

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

For: Councillors Akhtar, Dad, Goodwin, Grainger-Mead, S Hall, Kane, Lawson, Loonat, A Pinnock, Scott and Turner (11 votes)

Against: (no votes)

## Planning Sub-Committee (Heavy Woollen Area) - 17 October 2019

### 12 Planning Application - Application No: 2019/90155

The Sub-Committee gave consideration to Application 2019/90155 – Change of use and alterations to convert trade counter retail unit to function room at former Harrison’s Electrical Warehouse, Huddersfield Road, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Eric Appleton (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(1), the Sub-Committee received representations from Councillor Asif and Councillor Ahmed.

**RESOLVED** – That the application be deferred in order to allow the applicant to provide further information to address the recommended reasons for refusal relating to the impact assessment and highways safety.

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

For: Councillors Akhtar, Dad, S Hall, Kane, Loonat and Scott (6 votes)

Against: Councillors Grainger-Mead, Goodwin, Lawson, A Pinnock and Turner (5 votes)

### 13 Planning Application - Application No: 2019/91766

The Sub-Committee gave consideration to Application 2019/91766 – Raising of roof to form third floor extension at 1-3 Park Street, Heckmondwike.

Under the provisions of Council Procedure Rule 36(1), the Sub-Committee received a representation from Councillor Kendrick (ward member).

**RESOLVED** – That the application be refused on the grounds that;

(i) The proposed extension by virtue of its scale and prominent location of the dwelling would result in a dominant development which would not appear subservient to the original building, resulting in an incongruous feature within the street scene. The proposal would not promote good design and would be unduly harmful to the visual amenity of the area, contrary to Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework (ii) The erection of an additional storey to nos. 1-3 Park Street would result in a building which would have an overbearing and overshadowing impact on both the outdoor amenity space and the living accommodation of occupants of nearby dwellings. As such, the proposal would fail to provide a high standard of amenity for future and neighbouring occupiers. To permit such a development, which would be unduly harmful to the residential amenity of neighbouring occupiers, would be contrary to Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework, and (iii) The proposed extension, due to the location of habitable room windows on the south elevation would result in an increase in overlooking due to the elevated nature of the windows above those on the rear elevation of the dwellings on Parker Road. As such, the proposal would fail to provide a high standard of amenity for future and neighbouring occupiers. To permit such a development, which would be unduly harmful to the residential amenity of neighbouring occupiers, would be contrary to Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

## Planning Sub-Committee (Heavy Woollen Area) - 17 October 2019

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

For: Councillors Goodwin, Grainger-Mead, Lawson, A Pinnock, Scott and Turner (6 votes)

Against: (no votes)

Abstained: Councillors Akhtar, Dad, S Hall, Kane and Loonat.

### 14 **Planning Application - Application No: 2019/91346**

The Sub-Committee gave consideration to Application 2019/91346 – Erection of detached dwelling with integral garage adjacent to The Hall, Liversedge Hall Lane, Liversedge.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Stuart Wrathmell (applicant's agent) and Sarah Reid (applicant).

Under the provisions of Council Procedure Rule 36(1), the Sub-Committee received a representation from Councillor Kendrick (ward member).

**RESOLVED** – That the application be refused on the grounds that the proposed 4 bedroom detached house within the garden of Liversedge Hall would cause a high level of harm to the significance of the Grade II Listed Building and would impact upon the aesthetic and historical value of the Hall by reason of its visibility from the Hall, resulting in the loss of soft landscaping and further reduce land associated with it since the proposed dwelling, together with the existing two dwellings developed in the garden area would leave it with only half of the gardens that it benefitted from when re-modelling took place in the late 19th Century, and a fragment of the land to which it was associated from the medieval period until the early 20th Century. The installation of a blue plaque to raise awareness of the history of the Hall has been proposed by the applicant and would be of a public benefit, albeit limited in nature when weighed against the high level of harm of the proposed house on the setting of the listed building. As such, the public heritage benefits are not outweighed by the high level of harm to the setting of Liversedge Hall and the principle of the proposed house is unacceptable, contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP24 and LP35 of the Kirklees Local Plan, as well as chapters 12 and 16 (particularly paragraphs 194 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 Dad, Kane, Lawson, Loonat, A Pinnock, Scott, Turner (7 votes)

Against: (no votes)

Abstained: Councillors Akhtar, Goodwin and S Hall