

Contact Officer: Richard Dunne

## KIRKLEES COUNCIL

### PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

**Wednesday 7th October 2020**

Present: Councillor Terry Lyons (Chair)  
Councillor Paul Davies  
Councillor Donna Bellamy  
Councillor Donald Firth  
Councillor James Homewood  
Councillor Andrew Marchington  
Councillor Bernard McGuin  
Councillor Mohammad Sarwar  
Councillor Anthony Smith  
Councillor Mohan Sokhal  
Councillor Sheikh Ullah  
Councillor Harpreet Uppal

**1 Membership of the Committee**

All members of the Committee were present.

**2 Minutes of previous meeting**

The minutes of the meeting held on 19 March 2020 were approved as a correct record.

**3 Interests and Lobbying**

Councillor Smith declared that he had been lobbied on application 2019/92810.

Councillor D Firth declared that he had been lobbied on application 2020/90691.

**4 Admission of the Public**

All items on the agenda were taken in public session.

**5 Deputations/Petitions**

No deputations or petitions were received.

**6 Public Question Time**

No questions were asked.

**7 Planning Application - Application No: 2019/92810**

The Committee gave consideration to Planning Application 2019/92810 Change of use from A1 (retail) to mixed use A1 (retail) and A4 (drinking establishment). Hip Hops Beer Shop, 77, Lidget Street, Lindley, Huddersfield.

## **Planning Sub-Committee (Huddersfield Area) - 7 October 2020**

Under the provisions of Council Procedure rule 37, the Committee received representations from Stuart Brown (Objector), Daniel Dennett (applicant) and Hamish Gledhill (agent).

Under the provisions of Council Procedure rule 36(3), the Committee received a representation from Cllr Burke on behalf of the Lindley ward members.

### **RESOLVED –**

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

1. Standard three year timeframe for implementation.
2. Development to be completed in accordance with approved plans and specifications.
3. The following works specified on page 4 of the MZA Acoustics report dated March 2020 be implemented before the use commences and thereafter be retained: installation of a speaker isolator, and replacement of toilet flush mechanism.
4. Submission of details before development commences of any further sound insulation and strengthening works to be carried out on the stairs, and of any additional soundproofing to be installed on the northern wall of the premises, and a timetable for its implementation.
5. No customer service or seating areas on the upper floor of the premises, and no counters or tables for the use of customers, other than those shown on the proposed ground floor layout.
6. The A4 (drinking establishment) element of the use shall not operate outside the hours of 1000 to 2300 on any day, and the last customer shall leave no later than 2300 hours on any day.
7. Other than for access and ventilation, all doors and windows shall be kept closed whilst the premises are in use between the hours of 21:00 and 23:00.

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

For: Councillors: Davies, Bellamy, D Firth, Homewood, Marchington, McGuin, Sarwar, Sokhal, Ullah, Uppal and Lyons (11 votes)

Against: (0 votes)

Abstained: Councillor Smith

### **8 Planning Application - Application No: 2019/93950**

The Committee gave consideration to Planning Application 2019/93950 Erection of 21 dwellings and associated access works land at, former St Luke's Hospital, Blackmoorfoot Road, Crosland Moor, Huddersfield.

**RESOLVED -**

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

1. Complete the list of conditions including those contained within the considered report including:
  1. Time limit for commencement (3 years)
  2. Development to be done in accordance with plans.
  3. Development to be done in accordance with previously approved material schedule.
  4. Boundary treatment to be provided and retained.
  5. Remediation strategy to be submitted.
  6. Approved remediation strategy to be undertaken.
  7. Validation report to be submitted.
  8. Details of electric vehicle charging points to be submitted.
  9. Acoustic barrier details to be submitted, approved, implemented, and retained.
  10. Ventilation scheme for plots referenced in Noise Impact Assessment.
  11. Separate drainage and foul.
  12. Surface water drainage to be detailed and implemented.
  13. Details of local highway improvement works (Park Road West / Blackmoorfoot / Nabcroft Lane) to be submitted, implemented, and retained.
  14. Submission of access arrangements and plans, to be implemented and retained.
  15. No residential development until scheme detailing construction and layout specification for the Nabcroft Lane/Blackmoorfoot Road junction.
  16. Travel Plan to be submitted.
  17. Construction management plan.
  18. Internal adoptable road details.
  19. Ecological enhancement details to be provided.
  20. Landscape and ecological management plan to be submitted and approved.
2. Secure a S106 Deed of variation to retain all previously agreed planning contributions granted under planning permissions 2018/93200 and 2018/93098 including:
  - 11 starter homes;
  - The provision and future maintenance of on-site POS;
  - Offsite highway works and traffic light signals improvements.
  - Market the commercial area for housing for a period of 3 years, with a stipulation that policy compliant affordable housing be provided.
3. Pursuant to (2) above, in the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Planning and Development shall 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; if so, the Head of Planning and Development is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

## **Planning Sub-Committee (Huddersfield Area) - 7 October 2020**

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

For: Councillors: Davies, D Firth, Homewood, Marchington, McGuin, Sarwar, Smith, Sokhal, Ullah, Uppal and Lyons (11 votes)

Against: (0 votes)

Abstained: Councillor Bellamy.

### **9 Planning Application - Application No: 2020/90691**

The Committee have consideration to Planning Application 2020/90691 Erection of chicken shed (Listed Building within a Conservation Area) 75, Wooldale Road, Wooldale, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Matthew Weatherburn (applicant).

Under the provisions of Council Procedure Rule 36(3), The Committee received a representation from Cllr Nigel Patrick (ward member).

#### **RESOLVED –**

Delegate approval of the application to the Head of Planning and Development subject to the following conditions:

1. Removal of the chicken shed should the agricultural use cease for a period in excess of 6 months;
2. That officers from Kirklees Planning Service and Environmental Health arrange, following discussions with the applicant, a limit on the number of hens (subject to a minimum of 30) that can be kept on the premises; and
3. The approval of a waste management plan.

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

1. A vote to approve the application.

For: Councillors: Davies, Bellamy, Homewood, Marchington, McGuin, Sarwar, Smith, Sokhal, Ullah, Uppal and Lyons (11 votes)

Against: (0 votes)

Abstained: Councillor D Firth

2. A vote to approve the application subject to a further report being presented to the Committee outlining in detail the proposed conditions put forward by officers.

For: Councillors: Davies, Homewood, Marchington and Uppal (4 votes)

## **Planning Sub-Committee (Huddersfield Area) - 7 October 2020**

Against: Councillors: Bellamy, McGuin, Sarwar, Smith, Sokhal, Ullah and Lyons (7 votes)

Abstained: Councillor D Firth

3. A vote to include a condition for the removal of the chicken shed should the agricultural use cease for a period in excess of 6 months.

For: Councillors: Davies, Homewood, Marchington, Sarwar, Smith, Ullah, Uppal and Lyons (8 votes)

Against: Councillors: (0 votes)

Abstained: Councillors: Bellamy, D Firth, McGuin and Sokhal

4. A vote to delegate the condition covering the numbers of hens allowed to be kept on the premises, subject to a minimum of 30, to officers from Kirklees Planning Service and Environmental Health in discussion with the applicant and in accordance with an approved waste management plan.

For: Councillors: Davies, Homewood, Marchington, Sarwar, Smith, Uppal and Lyons (7 votes)

Against: Councillors: Bellamy and McGuin (2 votes)

Abstained: Councillors: Sokhal and Ullah.