

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

Thursday 22nd July 2021

Present: Councillor Mumtaz Hussain (Chair)
Councillor Nosheen Dad
Councillor Steve Hall
Councillor Gwen Lowe
Councillor Fazila Loonat
Councillor Alison Munro
Councillor Mussarat Pervaiz
Councillor Cathy Scott
Councillor Adam Gregg
Councillor Joshua Sheard
Councillor Melanie Stephen
Councillor Andrew Pinnock

Apologies: Councillor Kath Taylor

1 Membership of the Sub-Committee

Councillor Munro substituted for Councillor Lawson.

Apologies for absence were received on behalf Councillor K Taylor.

2 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 10 June 2021 be approved as a correct record.

3 Declaration of Interests and Lobbying

Councillor A Pinnock advised that he had been lobbied on Applications 2020/91747 and 2021/90706.

Councillor Loonat advised that she had been lobbied on Applications 2020/91747 and 2021/90706.

Councillor Pervaiz advised that she had been lobbied on Application 2021/91940.

Councillor Hussain advised that he had been lobbied on Application 2021/91940.

4 Admission of the Public

It was noted that all agenda items would be considered in public session.

5 Deputations/Petitions

No deputations or petitions were received.

Planning Sub-Committee (Heavy Woollen Area) - 22 July 2021

6 Public Question Time

No questions were asked.

7 Planning Application - Application No: 2020/90411

The Sub-Committee gave consideration to Application 2020/90411 – Outline application for demolition of 2 dwellings and outbuildings and the erection of 21 dwellings at 7 & 11 Church lane, Gomersal.

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

RESOLVED –

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

- Details of the reserved matters of scale, appearance and landscaping
- Time limit for submission of reserved matters
- Time limit for commencement of development
- Submission of a Construction Management Plan to include means of access to the site for construction traffic
- Access and layout construction in accordance with approved plan
- A scheme detailing the proposed internal adoptable estate roads
- A scheme for the design and construction details for all new retaining walls
- Details for all new surface water attenuation tanks/pipes/manholes located in the highway
- Ecological impact assessment at reserved matters stage (landscaping) and development in accordance with the EiA recommendations
- Biodiversity net gain plan at reserved matters stage (landscaping)
- Detailing landscaping plan and details of boundary treatment
- Submission of phase 2 intrusive site investigation report
- Submission of remediation strategy
- Implementation of remediation strategy
- Submission of validation report
- Procedures for dealing with unexpected contamination
- Borehole investigations prior to commencement
- Details of final scheme detailing foul, surface water and land drainage
- Final details of overland flow routing
- Temporary drainage details
- Site to be developed by separate systems of drainage for foul and surface water on and off site
- No piped discharge of surface water from the development prior to the completion of surface water drainage works
- Elevation details of the pumping station (including materials)
- Provision of electric vehicle charging points
- Measures to promote carbon reduction and enhance resilience to climate change

Planning Sub-Committee (Heavy Woollen Area) - 22 July 2021

2) That authority be delegated to the Head of Planning and Development to secure a S106 Agreement to cover (i) affordable housing – 20% of dwellings to be affordable with a split of 55% social or affordable rent to 45% intermediate housing (ii) open space – contribution of £28,576.44 towards the improvement/enhancement of off-site open space within 720m of the site (iii) education – contribution of £42,552 to be spent upon priority admission area schools within the geographical vicinity of the site (iv) arrangements to secure the long-term maintenance and management of public open space and the applicant's surface water drainage proposals (v) a contribution of £12,787.50 to support sustainable transport methods to fund the installation of a real time information display at bus stop no.14094 and be put towards sustainable travel incentives to encourage the use of sustainable modes of transport (vi) a bio-diversity net gain contribution to allow the off-site enhancement of council owned land within the vicinity of the site in the event that an on-site net gain is demonstrated to be infeasible at reserved matters (landscape) stage.

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 Planning and Development shall be authorised to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the mitigation and 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 Gregg, Munro, A Pinnock, Scott and Sheard (5 votes)

Against: Councillors S Hall, M Hussain, Pervaiz and Stephen (4 votes)

Abstained: Councillors Dad, Lowe and Loonat

8 **Planning Application - Application No: 2020/91747**

The Sub-Committee gave consideration to Application 2020/91747 – Demolition of former dairy/snooker centre/storage and erection of 9 light industrial units at land adjacent to 60 Northgate, Cleckheaton.

RESOLVED – That, contrary to the Officer's recommendation, the application be refused on the grounds of protecting the local amenity, specifically from the impact of activity at the site and traffic movement.

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

For: Councillors Dad, Lowe, Loonat, Munro, Pervaiz, A Pinnock, Scott, Sheard and Stephen (8 votes)

Against: Councillors Gregg, S Hall, M Hussain and Stephen (4 votes)

9 **Planning Application - Application No: 2021/90706**

The Sub-Committee gave consideration to Application 2021/90706 – removal of condition 23 on previous permission no. 2013/93186 for demolition of a building and formation of additional coach and bus parking/storage area, with screen planting and amended vehicular access arrangements at Arriva Lodge Garage, Whitehall Road West, Hunsworth, Cleckheaton.

Planning Sub-Committee (Heavy Woollen Area) - 22 July 2021

RESOLVED –

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

- (1) condition no longer required
- Development to be in accordance with approved plans
- Limiting activities in the coach parking area to 08:00 – 20:00 Monday to Friday
- Limitation on noise from coach parking area
- (5) condition no longer required
- (6) condition no longer required
- (7) condition no longer required
- (8) condition no longer required
- Surface water strategy retained, in accordance with details previously approved
- (12) condition no longer required
- Landscaping to be retained, in accordance with details previously approved
- (14) condition no longer required
- Details of surfacing to be retained, in accordance with details previously approved
- Sightlines to be provided and retained
- (17) condition no longer required
- (18) condition no longer required
- (19) condition no longer required
- (20) condition no longer required
- Soil to be retained on site, in accordance with details previously approved
- Site to be returned to previous state if not used for a period in excess of six months

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

For: Councillors Dad, Gregg, S Hall, M Hussain, Lowe, Loonat, Munro, Pervaiz, A Pinnock, Scott, Sheard and Stephen (12 votes)

Against: (no votes)

10 **Planning Application - Application No: 2021/91354**

The Sub-Committee gave consideration to Application 2021/91354 – Demolition of existing buildings, erection of 5 dwellings, formation of access and associated works at land at Old White Lee Colliery, Leeds Road, Heckmondwike.

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

RESOLVED – That the application be refused on the grounds that (i) by virtue of the proposed design, scale, layout and encroachment of development and the enclosure of land into gardens would result in a greater impact on openness than the existing development, and that this would materially detract from the green belt setting and represent inappropriate development, with no special circumstances

Planning Sub-Committee (Heavy Woollen Area) - 22 July 2021

demonstrated and (ii) to permit such development would be contrary to policies LP24, LP32 and LP59 of the Kirklees Local Plan, as well as chapters 12 and 13 of the National Planning Policy Framework.

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

For: Councillors Dad, Gregg, S Hall, M Hussain, Lowe, Loonat, Munro, Pervaiz, A Pinnock, Scott, Sheard and Stephen (12 votes)

Against: (no votes)

11 Planning Application - Application No: 2021/91724

The Sub-Committee gave consideration to Application 2021/91724 – Erection of raised decking with balustrade, new door opening and 3 giant umbrellas to rear (listed building within a conservation area) at Smiths Arms, 1 Town Gate, Highburton.

Under the provisions of Council Procedure Rule 36(3), the Sub-Committee received a representation from Councillor Armer (ward member).

RESOLVED – That, contrary to the officer’s recommendation, the application be refused on the grounds that the proposed development would have a detrimental impact upon the character of the host building and the amenity of nearby residential dwellings due to noise nuisance.

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

For: Councillors Dad, Gregg, S Hall, M Hussain, Lowe, Pervaiz, A Pinnock and Scott (8 votes)

Against: Councillors Loonat and Sheard (2 votes)

Abstained: Councillors Munro and Stephen

12 Planning Application - Application No: 2021/91725

The Sub-Committee gave consideration to Application 2021/91725 – Listed building consent for erection of raised decking with balustrade, new door opening and 3 giant umbrellas to rear (within a conservation area) at Smiths Arms, 1 Town Gate, Highburton.

Under the provisions of Council Procedure Rule 36(3), the Sub-Committee received a representation from Councillor Armer (ward member).

RESOLVED – That, contrary to the officer’s recommendation, the application be refused on the grounds that the proposed development would have a detrimental impact upon the character of the host building.

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

For: Councillors Dad, Gregg, S Hall, M Hussain, Lowe, Pervaiz, A Pinnock and Scott (8 votes)

Against: (no votes)

Abstained: Councillors Loonat, Munro, Sheard and Stephen

Planning Sub-Committee (Heavy Woollen Area) - 22 July 2021

13 Planning Application - Application No: 2021/91940

The Sub-Committee gave consideration to Application 2021/91940 – Erection of single and two storey extensions and formation of vehicular access at 40 Beckett Crescent, Dewsbury Moor.

RESOLVED – That the consideration of the application be deferred to enable to opportunity for further discussions to take place regarding the submission of a reduced scale application.

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

For: Councillors Dad, Gregg, S Hall, M Hussain, Lowe, Loonat, Munro, Pervaiz, A Pinnock, Scott, Sheard and Stephen (12 votes)

Against: (no votes)