

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

Thursday 5th August 2021

Present: Councillor Terry Lyons (Chair)
Councillor Paul Davies
Councillor James Homewood
Councillor Sheikh Ullah
Councillor Harpreet Uppal
Councillor Bill Armer
Councillor Timothy Bamford
Councillor Donna Bellamy
Councillor Bernard McGuin
Councillor Anthony Smith
Councillor Susan Lee-Richards
Councillor Manisha Kaushik

Apologies: Councillor Mohammad Sarwar
Councillor Mohan Sokhal

- 1 Membership of the Sub-Committee**
Councillor Manisha Roma Kaushik substituted for Councillor Mohan Sokhal.
- 2 Minutes of previous meeting**
The minutes of the meeting held on 17 June 2021 were approved as a correct record.
- 3 Declaration of Interests and Lobbying**
Councillor Paul Davies declared that he had been lobbied on application 2021/91682.

Councillor Donna Bellamy declared that she had been lobbied on application 2021/91136.
- 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.

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7 **Planning Application - Application No: 2020/91186**

The Sub Committee gave consideration to Planning Application 2020/91186 Reserved matters application for erection of 20 dwellings pursuant to outline permission no. 2018/91198 for residential development land at, Westcroft, Honley, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Sub Committee received a representation from Hamish Gledhill (agent).

Under the provisions of Council Procedure Rule 36 (3) the Sub Committee received a representation from Council Charles Greaves (ward member).

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. Development in accordance with approved plans
 2. Approval of samples of natural stone and slate to be used for facing materials
 3. Submission and approval of a construction plan for residential amenity is this already on the outline.
 4. Development in accordance with the highway measures set out in the submitted Construction Management Plan.
 5. Development in accordance with the submitted temporary drainage arrangements.
 6. Development in accordance with the submitted Arboricultural Method Statement.
 7. Development in accordance with the submitted Landscape and Ecological Management Plan.
 8. Development in accordance with the submitted Construction Environmental Management Plan.
 9. Detailed design of the adoptable estate road.
 10. Details of bin storage and presentation points.
 11. Details of temporary refuse bin collection arrangements during the period of construction.
 12. Private vehicle parking areas surfaced and drained.
 13. Detailed specification of all new tree and hedgerow planting.
 14. Retention of the new tree and hedgerow planting and details of future maintenance arrangements.
 15. Front boundary wall constructed of natural stone.
 16. Retaining walls faced in material to match the dwellings.
 17. Removal of permitted development rights for extensions and outbuildings.
 18. Scheme for low carbon energy technologies to be incorporated into the development.
2. Include the following the following additional conditions:
 - I. The retention of the hedging to the western boundary and forms of fencing that will allow the passage of wildlife (hedgehogs).

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- II. Hours of operation be prohibited outside of normal weekday hours, except for Saturday mornings only (to be submitted as part of the matters to satisfy condition 3 outlined above).
3. Secure a Section 106 agreement to cover the following matter:
- Contribution towards sustainable travel measures (Metro Cards) (£10,180).
4. Pursuant to (3) 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.

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

For: Councillors: P Davies, Homewood, A Smith, Ullah, Uppal and Kaushik (6 votes).

Against: Councillors: Armer, Bamford, Bellamy, Lee-Richards and McGuin (5 votes)

Abstained: Councillor Lyons.

8 Planning Application - Application No: 2021/91384

The Sub Committee gave consideration to Planning Application 2021/91384 Erection of 13 dwellings (resubmission) land south of, 5-25, Clay Well, Golcar, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Sub Committee received representations from James Bradley and Lauren Denton (on behalf of the applicant).

RESOLVED –

That consideration of the application be deferred to allow officers to bring back further information to address a number of issues and concerns highlighted by the Sub Committee including: The lack of open space on the development site; loss of trees; inappropriate housing mix; housing not in keeping with the character of the area; and the need for greater dispersing of the affordable housing.

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

1. A vote to approve the application

For: Councillors: P Davies, Homewood, Ullah, Lyons and Kaushik (5 votes)

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Against: Councillors: Armer, Bamford, Bellamy, Lee-Richards, McGuin, and A Smith (6 votes)

Abstained: Councillor Uppal.

2. A vote to defer the application.

For: Councillors: Armer, Bamford, P Davies, Homewood, Lee-Richards, McGuin, Ullah, Uppal, Lyons and Kaushik (10 votes)

Against: (0 votes)

Abstained: Councillors Bellamy and A Smith

9 Planning Application - Application No: 2021/91367

The Sub Committee gave consideration to Planning Application 2021/91367

Change of use from agricultural to storage and processing of timber, improvement of field access, formation of access track and hardstanding and erection of wood store Land east of, Hillock Farm, Dean Road, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Sean Johnson (objector), Diana Wilson (in support), Charlie Batten (applicant) and Philip Smith (agent).

RESOLVED –

1. That the Planning Inspectorate be informed that the local planning authority would have refused the application had its determination remained within its remit for the reason for the following reason:

The application site is within designated Green Belt, whereby as set out in the National Planning Policy Framework (NPPF) new development, subject to certain exceptions, is regarded as inappropriate. Paragraph 150 of the NPPF sets out that the material change of use of land need not be inappropriate, but only where this preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. In this case the development would harm the openness of the Green Belt through the siting of a building, storage of timber, the formation of the access track and the activity associated with the processing of timber on open land. This would also lead to the encroachment of development into the countryside. As such the proposal would constitute inappropriate development in the Green Belt which is by definition harmful to the Green Belt. There are no very special circumstances which clearly outweigh the harm to the Green Belt by reason of inappropriateness and other harm and therefore the proposal would be contrary to the aims of Chapter 13 of the National Planning Policy Framework.

2. That the enforcement action requiring cessation of the use and removal of the associated operational development be suspended until the outcome of the appeal lodged against the non-determination of the application has been concluded

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

For Councillors: Armer, Bamford, P Davies, Homewood, Lee-Richards, McGuin, A Smith, Ullah, Uppal, Lyons and Kaushik (11 votes)

Against: (0 votes)

Abstained: Councillor Bellamy.

10 Planning Application - Application No: 2021/91136

The Sub Committee gave consideration to Planning Application 2021/91136 Siting of mobile home for use as holiday accommodation, construction of raised platforms, erection of 'Tiki bar' and pergola and formation of vehicular access from Manchester Road with electronic gates and associated hard surfaces Mulberry Brook, Manchester Road, Slaithwaite, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Simon Murphy (applicant) and Laureen Denton (in support).

RESOLVED –

1. That planning permission be refused for the following reason:

The development, consisting of a mobile home, decking, pergola, fencing, access and concrete driveway, has urbanised what was previously an open and green garden, thereby causing significant harm to the openness of the Green Belt as well as the visual amenities of the Green Belt and the character and appearance of the wider area. As such, the development constitutes inappropriate development in the Green Belt and there are no very special circumstances which clearly outweigh the harm caused by inappropriateness and other harm. The development is therefore contrary to Policy LP24 (a) of the Kirklees Local Plan and Chapter 13 of the National Planning Policy Framework.

2. That authority be delegated to the Head of Planning and Development to proceed with enforcement action requiring cessation of the use and the removal of the associated operational development.

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

For Councillors: Armer, Bamford, P Davies, Lee-Richards, A Smith, Ullah and Lyons and (7 votes)

Against: Councillors: Bellamy, Homewood, Uppal and Kaushik (4 votes)

Abstained: Councillor McGuin,

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11 **Planning Application - Application No: 2021/91682**

The Sub Committee gave consideration to Planning Application 2021/91682 Change of use from dwelling house (Class C3) to residential care home (Class C2) Wall Nooks, Wall Nook Lane, Cumberworth, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Natalie Dossor, Lewyn Diveney Clegg (on behalf of Mike Keegan), Lisa Lane, Mick Crowther and Yvonne Chaplin (objectors); and Julian Bolitho (agent).

Under the provisions of Council Procedure Rule 36(3) the Committee received representations from Councillors Donald Firth and Nigel Patrick.

RESOLVED –

That approval of the application and the issue of the decision notice be delegated to the Head of Planning and Development in order to complete the list of conditions, including those contained in the Committee report, as set out below:

1. Development to commence within 3 years.
2. Development to be in accordance with submitted plans.
3. Use as C2 for up to 5 young persons.
4. Parking spaces created prior to being brought into use.
5. Permeable surfacing for parking space.
6. Electric vehicle charging point.

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

For: Councillors: P Davies, Homewood, A Smith, Ullah, Uppal, Lyons and Kaushik (7 votes)

Against: Councillors: Armer, Bamford and Bellamy (3 votes).

Abstained: Councillors Lee-Richards and McGuin