

Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

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

Thursday 14th October 2021

Present:

Councillor Adam Gregg  
Councillor Steve Hall  
Councillor Manisha Kaushik  
Councillor John Lawson  
Councillor Gwen Lowe  
Councillor Fazila Loonat  
Councillor Mussarat Pervaiz  
Councillor Andrew Pinnock  
Councillor Jackie Ramsay  
Councillor Mohan Sokhal  
Councillor Melanie Stephen

Apologies:

Councillor Joshua Sheard  
Councillor Kath Taylor

**1 Appointment of Chair**

In the absence of Councillor Mumtaz Hussain, Councillor Steve Hall was appointed as Chair for this meeting of the Sub-Committee.

**2 Membership of the Sub-Committee**

Councillor Sokhal substituted for Councillor M Hussain.

Councillor Kaushik substituted for Councillor Dad.

Apologies for absence were received from Councillors Sheard and K Taylor.

**3 Minutes of Previous Meeting**

That the Minutes of the Meeting held on 2 September 2021 be approved as a correct record.

**4 Declaration of Interests and Lobbying**

Councillors Gregg, S Hall, Lawson, Lowe, Pervaiz, A Pinnock and Stephen declared that they had been lobbied on Application 2021/91871.

Councillor S Hall declared that he had been lobbied on Application 2020/93472.

Councillors Loonat, Pervaiz and Ramsay declared that they had been lobbied on Application 2020/94412.

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Councillors S Hall, Loonat and Lowe declared that they had been lobbied on Application 2021/91659.

Councillors Gregg Lowe declared that they had been lobbied on Application 2021/91170.

Councillors Lawson and A Pinnock declared that they had been lobbied on Application 2021/91961.

### **5 Admission of the Public**

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

### **6 Deputations/Petitions**

No deputations or petitions were received.

### **7 Public Question Time**

No questions were asked.

### **8 Planning Application - Application No: 2021/91871**

The Sub-Committee gave consideration to Application 2021/91871 – Erection of residential development (55 dwellings) including access and associated infrastructure at land adjacent to High Street and Challenge Way, Hanging Heaton.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Laura Shaw, Stephen Crossley, Derek Crossley, Rodney Lyle and Jan Foster (local residents) and Kester Horn (applicant's agent).

Under the provisions of Council Procedure Rule 36(3), the Sub-Committee received representations from Councillors Lukic and Scott (ward members).

**RESOLVED** – That the consideration of the application be deferred to enable further information to be submitted in relation to flooding and drainage, noise mitigation measures, the red line boundary and right hand turn access off Challenge Way.

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

For: Councillors S Hall, Lawson, Lowe, A Pinnock, Ramsay and Stephen (6 votes)

Against: Councillors Gregg, Kaushik, Loonat, Pervaiz and Sokhal (5 votes)

### **9 Planning Application - Application No: 2020/94055**

The Sub-Committee gave consideration to Application 2020/94055 – Erection of 7 dwellings and associated access works at land opposite 4 Coalpit Lane, Upper Denby.

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

**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;

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- commencement of development within 3 years
- development to be in accordance with the approved plans
- submission of facing and roofing materials
- submission of full details, including materials and height, for all boundary treatments
- provision of electric vehicle charging points
- reporting of unexpected land contamination
- coal mining investigative works
- submission of noise assessment report
- submission of details of internal estate roads scheme
- surfacing and drainage of road and parking areas
- submission of an ecological design strategy
- removal of permitted development rights for the addition of windows/openings within the side elevation of proposed dwellings
- provision of bin collection points

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

For: Councillors Gregg, S Hall, Kaushik, Lawson, Loonat, Lowe, Pervaiz, A Pinnock, Ramsay, Sokhal and Stephen (11 votes)

Against: (no votes)

### 10 **Planning Application - Application No: 2020/93471**

The Sub-Committee gave consideration to Application 2020/93471 – Discharge condition 40 on previous permission 2015/90201 for variation condition 3 (plans) on previous permission 2014/90780 for erection of 206 dwellings, formation of community and sports facilities comprising floodlit practice rugby pitch, 2 floodlit multi use games areas, public open space, footways/cycleways, car parking and associated landscaping for phase 1 of development (64 dwellings) – Dewsbury RLFC Ltd, The Tetley Stadium, Owl Lane, Shaw Cross.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Andy Rushby (applicant's agent) and Mark Sawyer (Dewsbury RLFC).

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

#### **RESOLVED –**

- 1) That authority be delegated to the Head of Planning and Development to approve the application and issue the decision notice.
- 2) That a monitoring report be submitted to the Sub-Committee after a period of 12 months.

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

For: Councillors Gregg, S Hall, Kaushik, Lawson, Loonat, Lowe, Pervaiz, A Pinnock, Ramsay, Sokhal and Stephen (11 votes)

Against: (no votes)

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### 11 Planning Application - Application No: 2020/94412

The Sub-Committee gave consideration to Application 2020/94412 – Installation of replacement shop fronts at 8 Cowper Street, Savile Town, Dewsbury.

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

**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;

- standard timeframe for implementation of development (3 years)
- development in accordance with submitted plans
- reporting of unexpected contamination

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

For: Councillors S Hall, Lawson, Loonat, Lowe, Pervaiz, A Pinnock, Sokhal and Stephen (8 votes)

Against: Councillor Ramsay (1 vote)

Abstained: Councillor Gregg

### 12 Planning Application - Application No: 2021/91170

The Sub-Committee gave consideration to Application 2021/91170 – Erection of detached garage with first floor storage at 20 Steanard Lane, Mirfield.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Neale Aldersley (applicant).

**RESOLVED** – That the application be refused on the grounds that (i) the proposed development would be inappropriate in the greenbelt by definition, with no very special circumstances to which clearly outweigh the harm caused by inappropriateness and other harm. There would be additional harm to the spatial and visual aspects of the openness of the greenbelt. To approve the application would be contrary to chapter 13 of the National Planning Policy Framework (ii) the proposed development, by virtue of its scale and design, would cause harm to the heritage asset – the grade II listed building – with no public benefits to justify this harm. The proposal therefore contravenes policy LP35 of the Kirklees Local Plan and chapter 16 of the National Planning Policy Framework and (iii) the proposed development fails to meet the expectations for development on developed functional flood plain in flood zone 3ai as set out in policy LP27 of the Kirklees Local Plan. The site edged red and adjacent areas are wholly within flood zone 3b and 3ai and a sequential approach cannot be achieved.

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

For: Councillors S Hall, Lawson, Loonat, Lowe, Pervaiz, A Pinnock, Ramsay, Stephen (8 votes)

Against: Councillors Kaushik and Sokhal (2 votes)

Abstained: Councillor Gregg

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### 13 **Planning Application - Application No: 2021/91659**

The Sub-Committee gave consideration to Application 2021/91659 – Erection of second floor extension at Heckmondwike Grammar School.

**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;

- commencement of development within 3 years
- development to be in accordance with the approved plans
- materials to match existing extension

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

For: Councillors Gregg, S Hall, Kaushik, Lawson, Loonat, Pervaiz, A Pinnock, Ramsay, Sokhal and Stephen (10 votes)

Against: (no votes)

### 14 **Planning Application - Application No: 2021/91961**

The Sub-Committee gave consideration to Application 2021/91961 – Erection of single storey extension, Gladstone House, Gladstone Street, Cleckheaton.

**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;

- timescale for implementation of development
- in accordance with approved details
- restriction on noise levels to ensure background sound levels do not exceed specified levels
- submission of a phase two intrusive site investigation report
- submission of a remediation strategy
- implementation of a remediation strategy
- submission of a validation report

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

For: Councillors Gregg, S Hall, Kaushik, Lawson, Lowe, Pervaiz, A Ramsay, Sokhal and Stephen (9 votes)

Against: (no votes)

Abstained: Councillors Lawson and A Pinnock

### 15 **Planning Application - Application No: 2021/92608**

The Sub-Committee gave consideration to Application 2020/92608 – Erection of front porch, single storey rear and first storey side extensions at 416 Lees Hall Road, Thornhill Lees, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Mohammed Altaf (applicant).

**RESOLVED** – That, contrary to the Officer's recommendation, the application be delegated to officers to approve on the grounds that, due to the location of the site,

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the first floor extension would not appear overly dominant to the host building, or be out of keeping with the character of the area.

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

To Refuse;

For: Councillors Gregg, Lawson, A Pinnock, Stephen (4 votes)

Against: Councillors S Hall, Kaushik, Pervaiz, Ramsay and Sokhal (5 votes)

Abstained: Councillor Loonat

To approve;

For: Councillors S Hall, Kaushik, Pervaiz, Ramsay and Sokhal (5 votes)

Against: Councillors Gregg, Lawson, A Pinnock, Stephen (4 votes)

Abstained: Councillor Loonat