

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

Thursday 9th December 2021

Present: Councillor Terry Lyons (Chair)
Councillor Paul Davies
Councillor James Homewood
Councillor Mohammad Sarwar
Councillor Mohan Sokhal
Councillor Sheikh Ullah
Councillor Harpreet Uppal
Councillor Bill Armer
Councillor Timothy Bamford
Councillor Donna Bellamy
Councillor Bernard McGuin

Observers: Councillor Donald Firth

Apologies: Councillor Anthony Smith

1 Membership of the Sub-Committee

Councillor Alison Munro substituted for Councillor Anthony Smith.

2 Minutes of previous meeting

The minutes of the meeting held on 16 September 2021 were approved as a correct record.

3 Declaration of Interests and Lobbying

Councillor McGuin declared that he had been lobbied on application 2021/91971.

Councillors McGuin, Bamford, Armer, Lee-Richards, Munro, Ullah, Sarwar, Uppal, Sokhal, Homewood and Lyons declared that they had been lobbied on application 2021/93564.

Councillors Bamford, Armer, Lee-Richards, Ullah, Uppal, Sokhal, Homewood and Lyons declared that they had been lobbied on application 2021/90126.

Councillor Munro declared that she had been lobbied on application 2021/90025.

Councillor Paul Davies declared that he had been lobbied on application 2020/91896.

Planning Sub-Committee (Huddersfield Area) - 9 December 2021

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: 2020/91896

The Sub Committee gave consideration to Application 2020/91896 Demolition of existing dwelling and erection of 15 dwellings with associated access and external works Pentlands, New Mill Road, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Sub Committee received a representation from Jake Hinchcliffe (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36 (3) the Sub Committee received a representation from Councillor Donald Firth.

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. Three years to commence development.
 2. Development to be carried out in accordance with the approved plans and documents.
 3. Submission of a Construction (Environmental) Management Plan. (Pre-commencement)
 4. Submission of details relating to internal adoptable roads, site entrance visibility and safety audit. (Pre-commencement).
 5. Submission of details of surfacing and drainage of parking spaces.
 6. Submission of details of any retaining walls. (Pre-commencement)
 7. Submission of cycle parking details and provision prior to occupation.
 8. Provision of electric vehicle charging points (one charging point per dwelling with dedicated parking).
 9. Submission of temporary waste storage and collection.
 10. Submission of an Arboricultural Method Statement and Tree Protection Plan. (Pre-commencement)
 11. Submission of drainage details (including off site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, existing drainage to be maintained/diverted/abandoned, and percolation tests, where appropriate) (Pre-commencement)
 12. Submission of an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events, on drainage infrastructure and surface water run-off pre and

Planning Sub-Committee (Huddersfield Area) - 9 December 2021

post development between the development and the surrounding area, in both directions (Pre-commencement)

13. The site shall be developed with separate systems of drainage for foul and surface water on and off site. (Pre-commencement)

14. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed (Pre commencement).

15. Submission of a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip). (Pre-commencement).

16. Submission of a noise impact assessment with the necessary mitigation measures for identified dwelling plots.

17. Implementation of the approved Remediation Strategy.

18. Submission of Validation Report.

19. Submission of external materials (details and samples to be submitted).

20. Submission of boundary treatments details.

21. Submission of a Construction Environmental Management Plan (CEMP: Biodiversity) (Pre-commencement)

22. Submission of a full landscaping plan with regard to the Ecological Design Strategy.

23. Vehicular connection to the adjacent land (within allocated site HS189) without unreasonable hindrance.

24. Adherence to construction site working times.

2. Secure a Section 106 agreement to cover the following matters:

1) Affordable housing – 3 affordable dwelling houses to be provided in perpetuity – 1 intermediate and 2 for social rent.

2) Public Open Space - Off-site contribution of £25,903 to address shortfalls in specific open space typologies.

3) Biodiversity – £14,743.50 contribution towards off-site measures to achieve biodiversity net gain.

4) Sustainable transport – Measures to encourage the use of sustainable modes of transport, including a £17,672.50 financial contribution.

5) Management – The establishment of a management company for the management and maintenance of any land not within private curtilages or adopted by other parties, and of infrastructure (including surface water and foul drainage infrastructure until formally adopted by the statutory undertaker).

3. Pursuant to (2) above, in the circumstances where the Section 106 agreement has not been completed within three 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 mitigation and 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:

Planning Sub-Committee (Huddersfield Area) - 9 December 2021

For: Councillors P Davies, Homewood, Sarwar, Sokhal, Ullah, Uppal and Lyons (7 votes).

Against: Councillors Armer and Bamford (3 votes).

Abstained: Councillors Lee-Richards, McGuin and Munro.

8 Planning Application - Application No: 2021/91578

The Sub Committee gave consideration to Planning Application 2021/91578 Erection of 9 detached dwellings with associated works land at, Lancaster Lane, Brockholes, Holmfirth.

RESOLVED –

That the Planning Inspectorate be informed that the Local Planning Authority would have recommended that the application be delegated to the Head of Planning and Development to approve had its determination remained within its remit subject to the conditions detailed in the considered report and planning update including:

1. Development shall be begun within three years of the date of the permission.
2. Development to be in complete accordance with plans and specifications (unless specified otherwise).
3. Notwithstanding details provided, samples of stone for the external walls of the dwellings to be approved prior to the construction of dwellings above slab level.
4. The external roof of the development to be Forticrete Hardrow Duets roof slate in 'Barley' as specified in the application form.
5. Retaining walls within the site shall be faced in a 140mm Split Face Tumbled Stone from Abacus Stone Sales as approved under Discharge of Condition application 2020/92415.
6. Hard and soft landscaping of the site in accordance with Boundary Treatment Details plan (Drg No. TWO20-NFT-E02-004), Detailed Planting Plan (Drg No. PL62L01 Revision PR1) and Landscape Management and Maintenance Plan (ref: PL62R01 Rev P02, dated 30/11/2020). The approved planting scheme shall be maintained for a period of five years from its completion.
7. Development to be in accordance with the Preliminary Ecological Appraisal and Badger Survey undertaken by The Ecological Consultancy (Ref: B5610 Version 1) dated 23/04/2021 incorporating all of the recommendations set out in Section 4 (Potential Impacts and Recommendations).
8. Construction arrangements in accordance with the Construction Management Statement (reference Arcuss Ltd, August 2020, Rev – 2), pursuant to Discharge of Condition application 2020/92415.
9. Remediation of the site in accordance with the Phase III Remediation Strategy GEOL Consultants dated 4th August 2021 (ref: GEOL20-9775) and Phase III Remediate Strategy -Hot Spot Delineation by GEOL Consultants dated 05/04/2021 (ref: GEOL20-9775) pursuant to Discharge of Condition application 2020/92432. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered or encountered on site, all works on site shall cease immediately and the LPA shall be notified.

Planning Sub-Committee (Huddersfield Area) - 9 December 2021

10. Following the completion of any measures identified in the approved remediation strategy, a Validation Report shall be approved in writing by the LPA prior to any of site being brought into use.

11. Development in accordance with Drainage Strategy prepared by Holloway Jennings (reference number: Bm/5017/Drainstrat) dated 13 August 2021 pursuant to Discharge of Condition application 2020/92432. The drainage scheme shall be provided before any piped discharge of surface water from the development takes place and before any occupation of the development.

12. No building or other obstruction shall be located over or within: 3.5 metres either side of the centre line of the public 450 mm diameter public sewer; and 3 (three) metres either side of the centre line of the public 375 mm diameter public sewer.

13. An electric vehicle recharging point shall be installed within the dedicated parking area of each of the approved dwellings in accordance with Drawing No. TWP21-NTF-E02-002 before the dwelling to which the recharging point relates is first occupied.

14. No development shall take place until a scheme detailing the proposed internal adoptable estate roads including works to the public footpath and measures to restrict vehicular access to New Mill Road have been approved.

15. No development shall take place until the design and construction details of all highway retaining structures within the site have been approved.

16. All external vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' before the dwellings to which they relate are first occupied.

17. Street lighting in accordance with Lighting Layout Plan (Drg No. 1258-DFL-HLG XX_XX-DR-EO-1301 Rev A) and Outdoor Lighting Report by Designs for Lighting (Ref: 1258) dated 1/6/2020, as well as Lighting Reality drawing (ref: 1258) dated 1/6/2020 pursuant to Discharge of Condition Application 2020/92432.

18. Bird and bat boxes in accordance with Bird and Bat Mitigation Plan (Drg No. TWP21-NTF-E02-001 Rev A) pursuant to Discharge of Condition Application 2020/92432, and shall be provided before any of the dwelling to which they relate are first occupied.

19. External lighting for individual properties in accordance with Property Lighting Plan (Drg No. TWP20-NTF-E02-003 Revision A) pursuant to Discharge of Condition Application 2020/92432 and provided before the dwelling to which the lighting relates is first occupied.

The inclusion of the following two additional conditions: The submission of details on how the Public Right of Way (PROW) on Lancaster Lane will be protected and details to secure a management company for the maintenance of the roads within the site.

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

For: Councillors: P Davies, Homewood, McGuin, Sarwar, Sokhal, Ullah and Uppal (7 votes).

Against: Councillors: Bellamy and Lyons (2 votes).

Planning Sub-Committee (Huddersfield Area) - 9 December 2021

Abstained: Councillors Armer, Bamford, Lee-Richards and Munro.

9 Planning Application - Application No: 2021/90126

The Sub Committee gave consideration to Planning Application 2021/90126 Erection of extensions and alterations to existing coach house to form annexe accommodation associated with Coachways, 1a Dingley Road, Edgerton, Huddersfield and partial demolition of existing bungalow with re-build to form 2 storey dwelling (within a Conservation Area) Coachways, 1a Dingley Road, Edgerton, Huddersfield.

RESOLVED –

That the application be deferred in line with the following reasons outlined in the planning update report:

The applicant's agent has submitted a request asking for the application to be deferred. This is due to a legal discrepancy between the ownership of the land to the West of the host property (the existing garden area), with no. 1 and no. 1a Dingley Road.

The Officer recommendation is therefore amended to defer the application to allow time for this matter to be addressed.

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

For: Councillors: Armer, Bamford, Bellamy, P Davies, Homewood, Lee-Richards, McGuin, Munro, Sarwar, Sokhal, Ullah. Uppal and Lyons (13 votes)

Against: (0 votes).

10 Planning Application - Application No: 2021/91971

The Sub Committee gave consideration to Planning Application 2021/91971 Erection of single storey extension and associated alterations The Barn, New Laithe Bank, New Laithe Lane, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Sub Committee received a representation from Anne Belfield (applicant).

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

RESOLVED –

That the application be refused in line with the following reasons outlined in the considered report:

The proposed development, when considered cumulatively with the previous extensions to the property, would form disproportionate additions to the original

Planning Sub-Committee (Huddersfield Area) - 9 December 2021

building which would represent inappropriate development within the Green Belt. Furthermore, it would cause other harm by reducing the openness of the Green Belt by building on land which is currently open. There are no very special circumstances to clearly outweigh the harm the development would have on the Green Belt by reason of inappropriateness and other harm. The proposal fails to accord with the requirements of Policy LP57a of the Kirklees Local Plan and Policies within Chapter 13 of the National Planning Policy Framework.

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

For: Councillors: P Davies, Homewood, Lee-Richards, Munro, Sarwar, Ullah and Uppal (7 votes).

Against: Councillors: Armer, Bamford, Bellamy, McGuin, Sokhal and Lyons (6 votes).

11 Planning Application - Application No: 2021/90025

The Sub Committee gave consideration to Planning Application 2021/90025 Outline application for erection of assisted supported living accommodation (within a Conservation Area) land opp, former garages, Stocks Walk, Almondbury, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Sub Committee received a representation from Paul Ibberson (Agent).

RESOLVED –

Delegate to the Head of Planning and Development to approve, contrary to the officers recommendation to refuse, subject to securing a s106 legal agreement to ensure that the dwellings are used only for 'assisted supported living accommodation' as set out within the application.

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

For: Councillors: Armer, Bamford, Bellamy, McGuin, Sarwar, Sokhal, Ullah and Lyons (8 votes).

Against: Councillors: P Davies, Homewood, Lee-Richards, Munro and Uppal (5 votes).

12 Planning Application - Application No: 2021/92766

The Sub Committee gave consideration to Planning Application 2021/92766 Erection of first floor extension and alterations to existing granny annexe The Granny Annexe, Kismet, Dover Lane, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Sub Committee received a representation from Rod Wright (Agent).

Planning Sub-Committee (Huddersfield Area) - 9 December 2021

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

RESOLVED –

That the application be refused in line with the following reasons outlined in the considered report:

1. By virtue of the size and scale of the proposed extension, and previous additions to the property, the development would result in a disproportionate addition that would also have a detrimental impact upon the openness of the Green Belt. The proposal constitutes inappropriate development in the Green Belt for which no very special circumstances that clearly outweigh the identified harm to the Green Belt have been demonstrated contrary to Policy LP57 of the Kirklees Local Plan and policies contained within Chapter 13 of the National Planning Policy Framework.

2. By reason of its size, scale, massing, two storey design and relationship with the existing dwelling, the proposed development would fail to represent a subservient addition to the property, introducing an unsympathetic, incongruous and overly prominent addition. The development would have a detrimental impact upon the visual amenity, character and appearance of the host property and wider streetscene contrary to Policy LP24 of the Kirklees Local Plan, policies contained within Chapter 12 of the National Planning Policy Framework, Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document and Policy 2 of the Holme Valley Neighbourhood Plan.

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

For: Councillors: P Davies, Homewood, Lee-Richards, Munro, Ullah, Uppal and Lyons (7 votes).

Against: Councillors: Armer, Bamford, Bellamy, McGuin, Sarwar and Sokhal (6 votes).

13 Planning Application - Application No: 2021/93564

The Sub Committee gave consideration to Planning Application 2021/93564 Erection of two-storey and single1storey rear extensions, basement extension and front and rear dormers 8-10, Moorbottom Road, Thornton Lodge, Huddersfield.

RESOLVED –

That the application be deferred in line with the reasons outlined in the planning update report.

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

For: Councillors: Armer, Bamford, Bellamy, P Davies, Homewood, Lee-Richards, McGuin, Munro, Sarwar, Sokhal, Ullah. Uppal and Lyons (13 votes)

Planning Sub-Committee (Huddersfield Area) - 9 December 2021

Against: (0 votes).