

Contact Officer: Richard Dunne

## KIRKLEES COUNCIL

### PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

Thursday 10th February 2022

Present: Councillor Terry Lyons (Chair)  
Councillor James Homewood  
Councillor Mohammad Sarwar  
Councillor Mohan Sokhal  
Councillor Sheikh Ullah  
Councillor Harpreet Uppal  
Councillor Bill Armer  
Councillor Donna Bellamy  
Councillor Bernard McGuin  
Councillor Susan Lee-Richards  
Councillor Manisha Kaushik  
Councillor Andrew Marchington

Observers: Councillor Paul Davies  
Councillor Donald Firth  
Councillor Charles Greaves  
Councillor Nigel Patrick

Apologies: Councillor Paul Davies  
Councillor Timothy Bamford  
Councillor Anthony Smith

#### 1 **Membership of the Sub-Committee**

Councillor Manisha Kaushik substituted for Councillor Paul Davies.

Councillor Andrew Marchington Substituted for Councillor Anthony Smith.

Apologies were received from Councillor Timothy Bamford.

#### 2 **Minutes of previous meeting**

Subject to the following corrections the minutes of the meeting held on 9 December 2021 were approved as a correct record:

That Cllrs Alison Munro and Susan Lee-Richards were present at the meeting.

#### 3 **Declaration of Interests and Lobbying**

Councillor Bellamy declared that she had been lobbied on application 2021/91302.

Councillor Lee-Richards declared an "other interest" in application 2021/92946 on the grounds that she was a trustee of River Holme Connections.

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Councillor Marchington declared an “other interest” in application 2021/91302 on the grounds that a number of the congregation of the church where he was minister lived adjacent to the site.

Councillors Sarwar, Sokhal and Kaushik declared an “other interest” in application 2021/93564 on the grounds that they knew both the applicant and one of the objectors.

Councillors Uppal and Homewood declared that they had been lobbied on application 2021/93564.

Councillors Uppal and Homewood declared an “other interest” in application 2021/93564 on the grounds that they knew one of the objectors.

Councillor Uppal declared that she had been lobbied on application 2021/92946.

Councillor Sokhal declared an “other interest” in application 2021/93655 on the grounds that he had been actively engaged in discussions with the applicant, agent and planning officer.

### **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 Reporting of Emergency Delegated Decisions**

The report was noted.

### **8 Planning Application - Application No: 2021/92946**

The Sub Committee gave consideration to Planning Application 2021/92946 Demolition of Holmfirth Market Hall, extension and redevelopment of existing Huddersfield Road Car Park to include improvements to the existing vehicular entrance point on the A6024, the creation of a new vehicular access point onto the A6024, the creation of a new widened pedestrian bridge over the River Holme and associated landscaping, lighting and drainage works (within a Conservation Area)Huddersfield Road Car Park and Holmfirth Market Hall, Huddersfield Road, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Sub Committee received representations from Richard Ashley, Margaret Dale, Steve Davie, Liz Heywood, Michael Bell (in support), Jonathan Standen (agent) and Andy Raleigh and Chris Cotton (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36 (3) the Sub Committee received representations from Councillors Paul Davies, Donald Firth and Nigel Patrick (ward members).

**RESOLVED –**

1. 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 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. Submission of samples of stone to be used in stone walling (prior to the commencement of development above slab level).
4. Submission of details of coping of stone walls including samples (prior to commencement of development above slab level).
5. Notwithstanding the surfacing details submitted with the application, submission of full details of surfacing materials including samples (prior to the commencement of development, but excluding the demolition of the Holmfirth Market Hall building).
6. Notwithstanding the railings adjacent Huddersfield Road displayed in the submitted plans, submission of full design details of the means of enclosure adjacent to Huddersfield Road, including height, siting and materials. The means of enclosure should not exceed a height of 0.9 metre above the level of the adjoining highway and sightlines of 2.4 m x 43 metres shall be cleared of all other obstructions and shall be retained free of any such obstructions (prior to commencement of development above slab level).
7. Submission of full design details of street furniture, including bollards, seating, bins, bike stands and planters (prior to the installation of street furniture).
8. Submission of full design details of the utility box/GRP Enclosure (prior to the commencement of the installation of the utility box/GRP Enclosure).
9. Soft landscaping of the site in accordance with Planting Plan (Dwg No. HD/25/64051/GL-PR-LAP-04). The approved planting shall be planted during the first planting season following completion of the development hereby approved, and from its completion be maintained for a period of five years.
10. The car park shall be laid out and marked out into bays in accordance with the approved plans (prior to the site being brought into use).
11. Submission of details of ingress and egress signage, which shall be signed 'In' and 'Out', including location and appearance (prior to the site being brought into use).
12. Submission of scheme detailing surface water drainage, including maintenance and management plan for surface water infrastructure (prior to commencement of development).
13. Submission of assessments 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 post development between the development and the surrounding area in both directions (Prior to commencement of development).
14. Submission of scheme demonstrating surface water from vehicle parking and hard standing areas passing through an oil/petrol interceptor of adequate capacity (prior to commencement of development, and subject to option 2 within the FRA be used (traditional with oil separator).
15. Development in accordance with FRA, drawings HD/25/64051/GL-LAP-05,

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HD/25/64051/GL-LAP-06, HD/25/64051/GL-02 Rev K and HD/25/64051/GA-01 and mitigation measures detailed (mitigation measures implemented prior to the site being brought into use).

16.Submission of scheme detailing the proposed design and construction details for the new widened footbridge including any modifications to the river retaining wall supporting Hollowgate (prior to the commencement of development).

17.Submission of a Phase II Intrusive Site Investigation Report (prior to commencement of development).

18.Submission of a Remediation Strategy if remediation is recommended in the Phase II Intrusive Site Investigation Report (prior to commencement of development).

19.Implementation of the approved Remediation Strategy.

20.Submission of Validation Report (prior to the site being brought into use).

21.Development in accordance with measures outlined within the Biodiversity Measurement Plan by Brookes Ecological dated 23rd July 2021 (ref: ER-5108-03) (prior to the site being brought into use) and riparian planting displayed in the planting plan (Dwg No. HD/25/64051/GL-PR-LAP-04) (riparian planting shall be planted during the first planting season following completion of the development hereby approved).

22.3 electric vehicle recharging points with a continuous supply of at least 16A to 32A shall be installed within the car park hereby approved (to be installed and ready to use prior to the site being brought into use).

23.Submission of Construction Environmental Management Plan (CEMP) (prior to commencement of development).

24.Submission of Construction Traffic Management Plan (CTMP) (prior to commencement of development).

25.External lighting shall be installed in accordance with the details provided in the Lighting Strategy by Kirklees Council dated 30th July 2021 (ref: 30/7/2021) (prior to the site being brought into use).

2. An additional condition to secure a scheme of details for the provision of an improved access to the River Holme for maintenance of the river.

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

For: Councillors: Homewood, Kaushik, Marchington, Sarwar, Sokhal, Ullah, Uppal and Lyons (8 votes).

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

Abstained: Councillor Lee-Richards.

### 9 **Planning Application - Application No: 2021/93564**

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

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Under the provisions of Council Procedure Rule 37 the Sub Committee received representations from Ranjit Kaur and Randeep Singh (objectors) and Mohammad Sajar (applicant).

### **RESOLVED –**

That consideration of the application be deferred to provide sub committee members with an opportunity to attend a site visit.

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

For: Councillors: Armer, Bellamy, Homewood, Kaushik, Lee-Richards, McGuin, Marchington, Sarwar, Sokhal, Ullah, Uppal and Lyons (12 votes).

Against: (0 votes)

### **10 Planning Application - Application No: 2021/93351**

The Sub Committee gave consideration to Planning Application 2021/93351 Formation of decked area, erection of balustrades to boundaries to provide outdoor seating area (within a Conservation Area) Hooley House, 1, Concord Street, Honley, Holmfirth.

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

Under the provisions of Council Procedure Rule 36 (3) the Sub Committee received a representation from Councillor 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 complete the list of conditions including those contained within the considered report including:

1. Standard 3-year timeframe for commencement of development
2. Development to be completed in accordance with the submitted plans and specifications
3. Raised highway boundary wall to be constructed before decking brought into use.
4. Hours of use of decking (no later than 9pm)
5. Noise mitigation scheme
6. No outdoor lighting without details being approved first.

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

For: Councillors: Homewood, Kaushik, Marchington, Sarwar, Sokhal, Ullah and Uppal (7 votes).

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Against: Councillor Lyons (1 vote).

Abstained: Councillors: Armer, Bellamy, Lee-Richards and McGuin.

### **11 Planning Application - Application No: 2021/91302**

The Sub Committee gave consideration to Planning Application 2021/91302  
Erection of 7 eco dwellings land off, Netherley Drive, Marsden, Huddersfield.

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

### **RESOLVED –**

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

1. The site is within land designated as Green Belt within the Kirklees Local Plan proposals map. The development of the site for new housing would be inappropriate in principle under paragraphs 149-150 of the National Planning Policy Framework (NPPF), and would cause harm to the Green Belt by extending built development into open land, thereby undermining the aims of the Green Belt as set out in paragraphs 137-138 of the NPPF. Very special circumstances showing that the harm to the Green Belt would in this instance be clearly outweighed by other considerations have not been demonstrated, as required by paragraph 147-148 of the National Planning Policy Framework.
2. The access track serving the site is severely substandard owing to its width and gradient, it carries the route of a Public Right of Way (COL/207/40 and 60) and would not be accessible by a standard refuse collection vehicle. It is considered that the development would fail to provide safe or satisfactory access to the site and would materially increase risks to other highway users, including users of the public footpath, contrary to the aims of Policies LP20 and LP21(a, b, e & f) of the Kirklees Local Plan and Design Principles set out the Highways Design Guide SPD.
3. Plots 1-3, owing to their scale and layout, would appear visually jarring when seen in a rural context and close to the small vernacular dwellings, 1-4 Manor House Farm. The development as a whole, by introducing housing into an open and rural setting, would negatively affect local landscape character and views towards the Peak District National Park, contrary to the strategic objectives and Policy LP24(a) of the Kirklees Local Plan, Design Principles of the House Builders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.
4. Proposed house types 1 & 2, the smaller bedroom (bedroom 2) would have an internal area of only 6sqm, which falls significantly short of the minimum standard of 7.8sqm set out in the Nationally Described Space Standards. For House Type 4, the adequacy of room sizes has not been demonstrated. Owing to the lack of justification for the substandard room size in House Types 1 & 2 and lack of clarity concerning internal layout for House Type 4, it is considered that the proposed dwellings would fail to provide an acceptable level of amenity

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for future occupants, contrary to the aims of Policy LP24(b) of the Kirklees Local Plan, Design Principles of the House Builders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

5. The presence of trees adjacent to the south-western and north-western boundaries of the site, which are large enough to provide public amenity and enhance the setting of the area, has not been acknowledged on the submitted plans, nor has an Arboricultural Report or Impact Assessment been submitted. There is a significant risk that groundworks associated with the proposed Plots 3 and 4, and subsequent shading of the development once completed, would lead to damage to the trees' root structure or pressure for their subsequent removal. The submitted information fails to demonstrate that the development would secure the retention of the trees and their continued viability, contrary to the aims of Policy LP33 of the Kirklees Local Plan.

6. The site is within land designated as Wildlife Habitat Network within the Local Plan and the development proposal is not supported by a baseline ecological survey or impact assessment. In the absence of such evidence, it is likely that the development would result in net harm to biodiversity, contrary to the aims of Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

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

For: Councillors: Armer, Bellamy, Homewood, Kaushik, Lee-Richards, McGuin, Sarwar, Sokhal, Uppal and Lyons (10 votes).

Against: (0 votes).

### **12 Planning Application - Application No: 2021/93655**

The Sub Committee gave consideration to Planning Application 2021/93655 Erection of two storey extension 212, Bradford Road, Fartown, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Sub Committee received representations from Umar Hussain (agent) and Khalid Raffique (applicant).

#### **RESOLVED –**

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

1. By virtue of its design and scale the proposed development would result in an incongruous feature being introduced to the street scene which would not be subservient and fail to harmonise with the host property having a detrimental impact on the visual amenity and character of the building and wider street scene contrary to policy LP24 part (a) and part (c) of the Kirklees Local Plan and policies within chapter 12 of the National Planning Policy Framework.

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2. The proposed development, by reason of its size and proximity to no.214 Bradford Road and nos. 2 & 4 Back Beech Terrace would lead to an unacceptable level of overshadowing and be unduly overbearing and oppressive, having a detrimental impact on the amenities of the occupiers of these properties contrary to policy LP24 part (b) of the Kirklees Local Plan and policies within chapter 12 of the National Planning Policy Framework.

3. The proposed creation of a raised terrace would lead to an unacceptable level of overlooking of the occupiers of no.214 Bradford Road, nos.2 & 4 Back Beech Terrace and no.2 Olive Street, having a detrimental impact on the amenities of the occupiers of these properties contrary to policy LP24 part (b) of the Kirklees Local Plan and policies within chapter 12 of the National Planning Policy Framework.

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

For: Councillors: Armer, Bellamy, Homewood, Lee-Richards, McGuin, Marchington, Uppal and Lyons (8 votes).

Against: (0 votes).

Abstained: Councillors Kaushik and Sarwar.