

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

Thursday 4th August 2022

Present: Councillor Ammar Anwar
Councillor Nosheen Dad
Councillor Adam Gregg
Councillor Steve Hall
Councillor John Lawson
Councillor Aleks Lukic
Councillor Andrew Pinnock
Councillor Joshua Sheard
Councillor Melanie Stephen

Apologies: Councillor Fazila Loonat
Councillor Mussarat Pervaiz

1 Appointment of Chair

Councillor S Hall was appointed as Chair, in the absence of Councillor Lowe.

2 Membership of the Sub-Committee

Councillor E Firth substituted for Councillor Ramsay.

Councillor Sokhal substituted for Councillor Lowe.

Apologies for absence were received on behalf of Councillors Loonat and Pervaiz.

3 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 23 June 2022 be approved as a correct record.

4 Declaration of Interests and Lobbying

Councillors Dad, Stephen and Sokhal advised that they had been lobbied on Application 2021/92216.

Councillor Lawson advised that he had been lobbied on Application 2022/91228.

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.

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8 Site Visit - Application No: 2021/92216

Site visit undertaken.

9 Site Visit - Application No: 2022/90793

Site visit undertaken.

10 Site Visit - Application No: 2022/90257

Site visit undertaken.

11 Planning Application - Application No: 2021/92216

The Sub-Committee gave consideration to Application 2021/92216 – Erection of detached dwelling at land adjacent to 125 High Street, Thornhill Edge, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Simon Russell (on behalf of the applicant) and Ryan Russell (applicant).

RESOLVED – That the application be refused on the grounds that; (i) The proposed plot is small and constrained in size when compared to other plots within the vicinity and the erection of a detached dwelling would introduce development that would appear cramped within the plot, out of keeping with the layout and character of the area, which is predominantly made up of detached dwellings sited within a large curtilage. As such, to permit the development would be harmful to the visual amenity of the street scene as well as the character of the surrounding area, contrary to Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide SPD and guidance contained within the National Planning Policy Framework (ii) The proposed dwelling, due to its elevated position in relation to the neighbouring properties and subsequent need for retaining structures and screening, would result in a detrimental overbearing impact to the amenity space of the neighbouring properties, 46 and 48 Daleside, whose amenity space is located within close proximity of the shared boundary with the application site. As such, to permit the development would be harmful to the residential amenity of the neighbouring properties, contrary to Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide SPD and guidance contained within the National Planning Policy Framework and (iii) The elevated position of the proposed study window, and its habitable nature, would result in harmful overlooking of the amenity space to the rear of 46 and 48 Daleside, which is located close to the shared boundary at a lower level. As such, to permit the development would be harmful to the residential amenity of the neighbouring properties, contrary to Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide SPD and guidance contained within the National Planning Policy Framework.

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

For: Councillors E Firth, Gregg, S Hall, Lukic, Lawson and A Pinnock (6 votes)

Against: Councillors Anwar, Dad, Sheard, Sokhal and Stephen (5 votes)

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12 **Planning Application - Application No: 2022/90793**

The Sub-Committee gave consideration to Application 2022/90793 – Erection of single storey detached garden room to create dwelling forming annex accommodation associated with 24 Wilson Avenue, Mirfield at 24 Wilson Avenue, Mirfield.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from James Hallas (local resident).

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 three year timeframe for commencement and development
- In accordance with approved plans
- Ancillary use
- Reporting unexpected land contamination

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

For: Councillors Dad, E Firth, Gregg, S Hall, Lawson, Lukic, A Pinnock, Sheard, Sokhal and Stephen (10 votes)

Against: (no votes)

13 **Planning Application - Application No: 2022/90257**

The Sub-Committee gave consideration to Application 2022/90257 – Erection of single storey front and two storey side and rear extension at 48 Northstead, Ravensthorpe, Dewsbury.

RESOLVED – That application be refused on the grounds that (i) the proposed side and rear extension, by reason of the mass and bulk along the shared boundary with the adjacent dwelling together with the spatial relationship between the properties would result in an overbearing impact and overshadowing in the later afternoon and evening on the amenity space and windows of the adjacent 46 Northstead and (ii) to permit the extension would be contrary to Policy LP24 of the Kirklees Local Plan, KDP5 and KDP6 of the House Extensions & Alterations Supplementary Planning Document and advice within Chapter 12 of the National Planning Policy Framework.

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

To defer

For: Councillors Anwar, Dad, Gregg and Sokhal (4 votes)

Against: Councillors S Hall, Lawson, Lukic, A Pinnock, Sheard and Stephen (6 votes)

Abstained: Councillor E Firth

To refuse

For: Councillors S Hall, Lawson, Lukic, A Pinnock, Sheard and Stephen (6 votes)

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Against: Councillors Anwar, Dad, Gregg and Sokhal (4 votes)

Abstained: Councillor E Firth

14 Planning Application - Application No: 2022/91228

The Sub-Committee gave consideration to Application 2022/91228 – Erection of first floor extensions and alterations to form first floor accommodation at 1 Penn Drive, Hightown, Liversedge.

Under the provisions of Council Procedure Rule 36(3), the Sub-Committee received a representation from Cllr Kath Pinnock (local member).

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Mark Hellewell (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 three year timeframe for commencement of development
- In accordance with approved plans
- Matching materials

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

For: Councillors Anwar, Dad, E Firth, Gregg, S Hall, Lawson, Sheard, Sokhal and Stephen (9 votes)

Against: Councillors Lawson and A Pinnock (2 votes)

15 Application for order to extinguish part of public footpath Denby Dale 82 at Top O' Th' Close, Longroyd Lane, Upper Cumberworth

The Sub-Committee gave consideration to an application for an order to extinguish part of public footpath Denby Dale 82 at Top o' th' Close, Longroyd Lane, Upper Cumberworth, under Section 118 of the Highways Act 1980, on the grounds that it was not needed for public use.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Chris Johnson and Amanda Johnson (applicants).

RESOLVED – That approval be given to Option 4 (as set out at paragraph 2.8 of the report) and that authority be delegated to the Service Director (Legal, Governance and Commissioning) to make and seek confirmation of an order under Section 118 of the Highways Act 1980, without actively supporting the confirmation of the opposed Order.

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

For: Councillors Anwar, Dad, E Firth, Gregg, S Hall, Lawson, Lukic, A Pinnock, Sheard, Sokhal and Stephen (11 votes)

Against: (no votes)