

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

Thursday 15th June 2023

Present: Councillor Sheikh Ullah (Chair)
Councillor James Homewood
Councillor Imran Safdar
Councillor Mohan Sokhal
Councillor Donna Bellamy
Councillor Tony McGrath
Councillor Bernard McGuin
Councillor Paola Antonia Davies
Councillor Andrew Marchington
Councillor Susan Lee-Richards
Councillor Eric Firth
Councillor Beverley Addy
Councillor Ammar Anwar

Apologies: Councillor Paul Davies
Councillor Jo Lawson
Councillor Manisha Roma Kaushik

1 Membership of the Sub-Committee

Apologies were received from Councillors Paul Davies, Jo Lawson and Manisha Kaushik.

Councillor Eric Firth substituted for Councillor Paul Davies.

Councillor Beverley Addy substituted for Councillor Jo Lawson.

Councillor Ammar Anwar substituted for Councillor Manisha Kaushik.

2 Minutes of previous meeting

The minutes of the meeting held on the 13 April 2023 were approved as a correct record.

3 Declaration of Interests and Lobbying

Cllr McGrath declared an 'other interest' in application 2023/91198 on the grounds that he had contributed to the crowd funding of the proposed application.

It was noted that Cllr McGrath did not participate in the Committee discussion or vote on the application.

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Cllr Lee-Richards declared an 'other interest' in application 2023/91198 on the grounds that she had submitted the application on behalf of the Newsome Community Benefit Society.

It was noted that Cllr Lee-Richards did not participate in the Committee discussion or vote on the application.

Cllrs Safdar and Ullah declared that they had been lobbied on application 2023/90120.

4 Admission of the Public

All items were taken in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked.

7 Site Visit - Application No: 2023/90120

Site visit undertaken.

8 Planning Application - Application No: 2022/90672

The Sub Committee gave consideration to Planning Application 2022/90672 Erection of 19 single storey dwellings, associated access, and hard and soft landscaping, including demolition of no.1 Row Street. Land rear of, Row Street, Crosland Moor, Huddersfield.

RESOLVED –

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

1. The proposed development layout does not achieve a net density of 35 dwellings per hectare that would be sufficient to use land efficiently for a residential purpose. As such the proposal is contrary to Policy LP7 of the Kirklees Local Plan and Paragraph 124 of the National Planning Policy Framework as it does not seek to maximise housing delivery and is not overridden by mitigating reasons with regard to development viability, compatibility with its surroundings or meeting local housing needs. The lack of a sufficient density would also further undermine the Local Planning Authority's housing delivery target, which is subject to a Housing Delivery Test Action Plan.

2. The applicant has failed to justify the provision of no affordable housing units on a site which, in total, would require 4. No weight has been afforded to the submitted Viability Assessment as the Independent Review shows that the provision of 2 affordable units could be viable. As such, the proposal would be contrary to Policy LP11 of the Kirklees Local Plan and Paragraph 58 of the National Planning Policy Framework.

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3. The proposed development, by reason of its contrived, minimalistic and regimented layout, scale and appearance, would fail to sympathetically relate to existing development within the locality and would fail to provide a housing mix in respect of the character of the area. The development would therefore be contrary to Policies LP11 and LP24 of the Kirklees Local Plan, Principles 2 and 14 of the Kirklees Housebuilder Design Guide SPD and Chapter 12 of the National Planning Policy Framework.
4. The proposed development, by reason of the severely limited amount of useable internal floor space for each dwelling, would provide a poor standard of amenity to future occupiers contrary to paragraph 130(f) of the National Planning Policy Framework, Principle 16 of the Council's adopted Housebuilders Design Guide Supplementary Planning Document and Policy LP24(b) of the Kirklees Local Plan.
5. The applicant has failed to demonstrate, through the submission of sufficient drawings and information, that the proposals would: ensure an adequate provision of on-site parking and visitor parking spaces and would take into account access and egress for emergency services and refuse collection. These deficiencies in the application are all to the detriment of highway and pedestrian safety, contrary to Policies LP22 and LP24 of the Kirklees Local Plan, Key Drivers of the Highways Design Guide SPD, Principles 12 and 19 of the Housebuilders SPD and the aims of the National Planning Policy Framework.
6. The application, by lack of information fails to demonstrate any mitigation measures to overcome the ecological harm the development would cause and to provide a 10% net biodiversity gain. Therefore, to grant permission would be contrary to Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.
7. The application fails to provide green infrastructure and an attractive frontage, as it does not make effective use of tree-lined streets in the site. This would fail to maximise visual amenities, ecological benefits and adaption to climate change. Therefore, to grant this permission would be contrary to Policy LP24(i) of the Kirklees Local Plan, Principle 7 of the Housebuilders Design Guide SPD and Chapter 12 of the NPPF, particularly Paragraph 131.
8. The application, by reason of insufficient information, fails to demonstrate whether adequate space or provisions for surface water, rainwater and foul waste drainage can be provided within the site. As such, there are severe concerns as to whether the site could successfully and safely accommodate suitable drainage systems for the level of waste water and foul waste infrastructure required to meet the demand by the new development. As such, the scheme does not comply with LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.
9. The application submission fails to demonstrate how meaningful or useable amenity green space or public open space of any typology can be provided on the site. Therefore, it is concluded that the proposal, due to the lack of on-site public open space provision and the inability to secure any off-site contributions, is contrary to Policy LP63 of the Kirklees Local Plan and Open Space Supplementary Planning Document.

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

For: Councillors: Addy, Anwar, Bellamy, Paola Davies, E Firth, Homewood, Lee-Richards, Marchington, McGrath, McGuin, Safdar, Sokhal and Ullah (13 votes)

Against: (0 votes)

9 Planning Application - Application No: 2023/90120

The Sub Committee gave consideration to Planning Application 2023/90120 Erection of extension and alterations to detached garden room/gym to create dwelling forming annex accommodation associated with 5, School Hill, South Crosland, Huddersfield, HD4 7BY (within a Conservation Area) 5, School Hill, South Crosland, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Sub Committee received representations from Robert Grieve (applicant) and Ron Berry (in support).

RESOLVED –

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

1. The proposed development would constitute a disproportionate addition to the original dwelling which would no longer be the dominant element in terms of size or appearance. This is inappropriate development in the Green Belt by definition. Further harm to the spatial and visual openness of the Green Belt would arise through the extension of this prominent structure on rising land encroaching towards open countryside. No very special circumstances have been demonstrated to clearly outweigh the harm of the development to the Green Belt by reason of inappropriateness or other harm. The development would be contrary to Policy LP57 of the Kirklees Local Plan and policies contained within Chapter 13 of the National Planning Policy Framework.

2. The proposed development by reason of its scale, siting and design would be neither subservient to nor harmonise with the host dwelling and would appear visually jarring in the wider streetscene. This would cause detrimental harm to the visual amenities of the host dwelling and character and appearance of the area. This is contrary to policies LP24 (a and c) and LP57(d) of the Kirklees Local Plan, Principles 1 and 2 of the House Extensions and Alterations SPD and policies contained within Chapter 12 of the National Planning Policy Framework.

3. The proposed extension, by reason of its siting, scale and external appearance, would fail to preserve the character or appearance of the South Crosland Conservation Area. The harm is considered to be less than substantial harm, however, as required by paragraph 199 of the National Planning Policy Framework (NPPF), great weight has been given to that harm in assessing the impact of the proposed development. Public benefits have not been demonstrated that would outweigh the harm caused in this case. The development would therefore be contrary to the Council's duties under the Planning (Listed Buildings and

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Conservation Areas) Act 1990, Policies LP24 and LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF.

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

For: Councillors: Addy, Paola Davies, E Firth, Lee-Richards, Marchington, McGrath, Sokhal and Ullah (8 votes)

Against: Councillors Anwar, Homewood, McGuin and Safdar (4 votes)

Abstained: Councillor Bellamy

10 Planning Application - Application No: 2023/91198

The Sub Committee gave consideration to Planning Application 2023/91198 Change of use from place of worship (Class F1) to community centre with ancillary cafe (Class F2) St Johns Church, Jackroyd Lane, Newsome, Huddersfield.

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 as set out below:

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. Hours of use: no activities outside the hours of 9:00-22:00 every day, and the ancillary community café no outside 9:00-17:00 each day.
4. No external lighting until details submitted to and approved in writing by the local planning authority.
5. Details of bin storage, bin presentation points and access for collection of wastes.
6. Details of cycle storage facilities.

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

For: Councillors: Addy, Anwar, Bellamy, Paola Davies, E Firth, Homewood, Marchington, McGuin, Safdar, Sokhal and Ullah (11 votes)

Against: (0 votes)