

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

Thursday 19th April 2018

Present: Councillor Paul Kane (Chair)
Councillor Mahmood Akhtar
Councillor Michelle Grainger-Mead
Councillor John Lawson
Councillor Mussarat Pervaiz
Councillor Andrew Pinnock
Councillor Kath Taylor
Councillor John Taylor

Apologies: Councillor Cathy Scott
Councillor Graham Turner

1 Membership of the Committee

Apologies for absence were received on behalf of Councillors Scott and G Turner.

2 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 15 March 2018 be approved as a correct record.

3 Interests and Lobbying

All Members present advised that they had been lobbied on Application 2017/93674.

Councillors Grainger-Mead, Kane, Lawson and A Pinnock advised that they had been lobbied on Application 2017/91242.

Councillors Grainger-Mead, Lawson and A Pinnock advised that they had been lobbied on Application 2014/93145.

Councillors K Taylor and J Taylor advised that they had been lobbied on Application 2017/92504.

4 Admission of the Public

It was noted that all Agenda Items would be considered in public session.

5 Deputations/Petitions

None received.

6 Site Visit - Application No: 2018/90650

Site visit undertaken.

7 Local Planning Authority Appeals

The Sub-Committee received a report which set out decisions which had been taken by the Planning Inspectorate in respect of decisions submitted against the decisions of the Local Planning Authority.

RESOLVED – That the report be noted.

8 Planning Application - Application No: 2014/91242

The Committee gave consideration to Application 2014/91242 – Reserved matters application for erection of 47 dwellings at land off Ashbourne Drive, Cleckheaton.

RESOLVED – That the application be deferred (i) in order to request the reasons for deferral as set out at the previous meeting be addressed and (ii) in accordance with the applicant's request in order to resolve issues relating to levels within the public open space.

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock, K Taylor and J Taylor (8 votes)

Against: (no votes)

9 Planning Application - Application No: 2014/93145

The Committee gave consideration to Application 2014/93145 – Modification of Section 106 obligation relating to previous application 2012/93062 at land off Ashbourne Drive, Cleckheaton.

RESOLVED – That pursuant to the decision to defer the determination of Application 2014/91242, the application be deferred.

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock, K Taylor and J Taylor (8 votes)

Against: (no votes)

10 Planning Application - Application No: 2017/92504

The Committee gave consideration to Application 2017/92504 – Erection of 5 dwellings with associated site road, parking and landscaping at land to rear of 49/51 Huddersfield Road, Skelmanthorpe.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Ray Lawson, Nigel Wilson and Lesley Lawson (local residents) and Chris Noble (applicant).

RESOLVED – That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- time limit for implementation – 3 years

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- development to be implemented in accordance with plans
- samples of all construction materials
- scheme for the part of the adoptable estate road
- surfacing and draining of vehicle parking areas
- phase II report
- provision of electric charge points
- no development to take place until a method statement for the avoidance of direct impacts to great crested newts has been submitted and approved
- no development to take place until an ecological design strategy addressing ecological enhancement has been submitted and approved
- boundary treatment to be provided in accordance with the block plan
- removal of permitted development rights for new openings
- removal of permitted development rights for extensions
- construction management plan (to prevent construction traffic accessing Heather Fold)

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock and K Taylor (7 votes)

Against: Councillor J Taylor (1 vote)

11 Planning Application - Application No: 2017/93674

The Committee gave consideration to Application 2017/93674 – Erection of class A1/A3 coffee shop with external seating area at land at Northgate Retail Park, Albion Street, Heckmondwike.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Toqueer Ahmed and Nasser Ahmed (local residents).

RESOLVED – That the application be refused on the grounds that the bulk and massing of the proposed development, by virtue of its proximity to nearby dwellings, would be harmful to detrimental amenity, and also visual amenity.

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

For: Councillors Akhtar, Grainger-Mead, Lawson, Pervaiz, A Pinnock, J Taylor and K Taylor (7 votes)

Against: Councillor Kane (1 vote)

(Contrary to the Officer's recommendation, the Committee resolved to refuse the application on the grounds that the bulk and massing of the proposed development, by virtue of its proximity to nearby dwellings, would be harmful to detrimental amenity, and also visual amenity.)

12 Planning Application - Application No: 2018/90650

The Committee gave consideration to Application 2018/90650 – Erection of two storey front side rear extension at 10 Moor End Lane, Dewsbury Moor.

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

RESOLVED – That the application be refused on that grounds that;

- (i) the proposed two storey front extension, due to its height, scale and prominent location as well as the proposed design, would result in an incongruous feature both in relation to the host property and the wider street scene and to permit the proposed extension would be harmful to visual amenity and contrary to Policies D2 and BE14 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan and the aims of chapter 7 of the National Planning Policy Framework.
- (ii) the proposed two storey side and rear extension, due to its width and prominent location, as well as the proposed design, would result in an incongruous feature both in relation to the host property and the wider street scene and to permit the proposed extension would be harmful to visual amenity and contrary to Policies D2 and BE14 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan and the aims of Chapter 7 of the National Planning Policy Framework.

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

For: Councillors Grainger-Mead, Kane, Lawson, A Pinnock, J Taylor and K Taylor (6 votes)

Against: Councillor Pervaiz (1 vote)

Abstained: Councillor Akhtar

13 Planning Application - Application No: 2018/90355

The Committee gave consideration to Application 2018/90355 – Alterations to convert garage to living accommodation and erection of single storey rear extension at 11 Park Lodge View, Skelmanthorpe.

RESOLVED – That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- time limit to commence development
- development in accordance with approved plans
- proposed materials to match existing
- no additional openings in the side elevations

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Pervaiz, A Pinnock, K Taylor and J Taylor (8 votes)

Against: (no votes)