

Contact Officer: Richard Dunne

## **KIRKLEES COUNCIL**

### **PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)**

**Thursday 21st June 2018**

Present: Councillor Mohan Sokhal (Chair)  
Councillor Donna Bellamy  
Councillor Richard Eastwood  
Councillor Nell Griffiths  
Councillor James Homewood  
Councillor Ken Sims  
Councillor Sheikh Ullah  
Councillor Harpreet Uppal  
Councillor Bill Armer

Apologies: Councillor Nigel Patrick

**1 Appointment of the Chair**

Councillor Mohan Sokhal was appointed as Chair of the meeting.

**2 Membership of the Committee**

Councillor Bill Armer substituted for Councillor Nigel Patrick

**3 Minutes of previous meeting**

The Minutes of the meeting held on 17 May 2018 were approved as a correct record.

**4 Interests and Lobbying**

Councillors Bellamy an 'other interest' in applications 2018/91198 and 2018/91045 on the grounds that she was a member of Holme Valley Parish Council.

Councillor Bellamy declared she had been lobbied on application 2018/90021.

In relation to items 13 and 14 Councillor Ullah declared an 'other interest' on the grounds that he had been involved in facilitating a number of meetings between the developer and objectors.

In relation to items 13 and 14 Councillor Sokhal declared the following "I am a ward member for the Greenhead ward and I have been involved in the Clayton Fields issues for many years. Whilst I consider myself to be fully able to participate in the meeting and to vote, I will remain as Chair but will not participate and vote on the item. This is in the interest of transparency and to uphold the general principles for members' conduct"

**5 Admission of the Public**

All items on the agenda were taken in public session

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- 6 Deputations/Petitions**  
No deputations or petitions were received.
- 7 Public Question Time**  
No questions were asked
- 8 Site Visit - Application No: 2018/90413**  
Site visit undertaken.
- 9 Site Visit - Application No: 2016/91200**  
Site visit undertaken.
- 10 Site Visit - Application No: 2018/91198**  
Site visit undertaken.
- 11 Site Visit - Application No: 2018/90021**  
Site visit undertaken.
- 12 Local Planning Authority Appeals**  
That the report be noted.
- 13 Applications for a definitive map modification order to add public footpaths to the definitive map and statement, Clayton Fields, Edgerton. (Application references 30, 31, 184, 185 & 186). Application for a definitive map modification order to vary the recorded width of recorded public footpath Huddersfield 345 (part) (Application reference 187)**  
The Committee considered a report that sought a decision on a number of applications for a definitive map modification order to add public footpaths to the definitive map and statement, Clayton Fields, Edgerton and an application for a definitive map modification order to vary the recorded width of recorded public footpath Huddersfield 345 (part).

The report outlined the context and background to the matter, information required to take a decision, next steps and officer recommendations.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Jonathan Adamson and Bill Magee (read out on his behalf by Jonathan Adamson).

### **RESOLVED –**

(1) That the Committee agree option 2 in paragraph 2.62 of the considered report and authorise the Service Director, Legal, Governance and Commissioning to make a definitive map modification order (“DMMO”) to record public footpaths as shown on appended, amended and clarified plan App Z, under section 53 (3) c (i) of the Wildlife & Countryside Act 1981, but not to make any modification under s 53 (3) c (iii) regarding the recorded width of Huddersfield footpath 345 and

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(2) Authorise the Service Director, Legal, Governance and Commissioning to confirm the order or if opposed, to submit it to the Secretary of State at DEFRA to determine

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

For: Councillors Armer, Bellamy, Eastwood, Griffiths Homewood, Sims and Uppal.  
(7 Votes)

Against (0 votes)

Abstained: Councillors Sokhal and Ullah

### 14 **Amendments to the authority given by sub-committee in October 2017 for the extinguishment of claimed public footpaths at Clayton Fields, Edgerton Road, and provision of alternative routes. Town & Country Planning Act 1990, section 257.**

The Committee considered a report that sought a decision on amendments to the authorisation issued in October 2017 for an order to extinguish claimed Public Footpath rights over land at Clayton Fields and to provide alternative pedestrian routes

The report outlined the context and background to the matter, information required to take a decision, next steps and officer recommendations.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Jonathan Adamson.

#### **RESOLVED –**

(1) That the Committee agree option 2 at paragraph 2.7 of the considered report and authorise the Service Director, Legal, Governance and Commissioning to make and seek confirmation of an order under s257 of the Town & Country Planning Act 1990 to reflect the routes determined to subsist, or to be reasonably alleged to subsist in relation to the seven Clayton Fields DMMO applications and to reflect the routes proposed in the implementable planning consents, including the widening of part of Huddersfield 345 lying to the west of the site and

(2) Delegate authority to the Service Director, Legal, Governance and Commissioning to determine the routes to be extinguished (routes in the DMMO report recommendations are indicatively shown in Plan 5/AppZ, along with the DMMO ref 183 route determined by sub-committee in February). The intention is for the s257 order to reflect the decisions by sub-committee.

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

For: Councillors Armer, Bellamy, Eastwood, Griffiths Homewood, Sims and Uppal.  
(7 Votes)

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Against (0 votes)

Abstained: Councillors Sokhal and Ullah

### 15 **Planning Application - Application No: 2018/90151**

The Sub Committee gave consideration to Planning Application 2018/90151 Outline application for erection of residential development adj, 208, Yew Tree Road, Birchencliffe, Huddersfield

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Malcolm Sizer (Agent)

#### **RESOLVED –**

Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to:

1) complete the list of conditions contained within the considered report including:

1. Standard conditions for outline consents (including submission of reserved matters and time limit).
2. Intrusive site investigations and remediation to address coal mining legacy issues and contaminated land issues.
3. Detailed drainage design including future maintenance and management of surface water infrastructure.
4. Provision of footway to site frontage.
5. Noise report and mitigation.
6. Ecological Design Strategy (including retention/provision of wetland area and biodiversity enhancement).
7. Electric vehicle charging points to be provided.
8. Affordable housing.
9. POS.
10. Education.
11. Sustainable travel contribution.
12. Construction management plan.
13. Detailed road junction design.

2) Secure a S106 agreement to cover the following matter:

- I. Contribution towards off-site improvement works at the Halifax Road/East Street (Cavalry Arms) junction.

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

For: Councillors Griffiths, Homewood, Sokhal, Ullah and Uppal. (5 Votes)

Against (0 votes)

Abstained: Councillors Armer, Bellamy, Eastwood and Sims.

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### 16 **Planning Application - Application No: 2018/91198**

The Sub Committee gave consideration to Planning Application 2018/91198 Outline application for erection of residential development Land at, Westcroft, Honley, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Helen Reddel (Objector) Jeremy Child (Agent).

#### **RESOLVED –**

Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment to complete the list of conditions including those contained within the considered report including:

1. 3 years to commence development.
2. Reserved matters (access, layout, appearance, scale and landscape).
3. Provision of affordable housing.
4. Provision of public open space.
5. Remediation and decontamination.
6. Provision of electric charging points for low emission vehicles.
7. Habitat enhancement.
8. Ecological Development Strategy.
9. Construction Environmental Management plan.
10. Highways conditions.
11. Drainage, to be submitted with details of layout.
12. Tree protection.
13. Construction management plan.

In addition it was noted that the Committee requested that the application covering reserved matters be brought back to the Committee for consideration.

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

For: Councillors Eastwood, Griffiths, Homewood, Sokhal, Ullah and Uppal. (6 Votes)

Against : Councillors Armer and Bellamy (2 votes)

Abstained: Councillor Sims.

### 17 **Planning Application - Application No: 2018/90413**

The Sub Committee gave consideration to Planning Application 2018/90413 Change of use from dwellinghouse to mixed use dwellinghouse and training centre (within a Conservation Area) Thorpe Grange Manor, Thorpe Lane, Almondbury, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Vivien Uff, Trevor Uff and Caroline Self (objectors) and Antony Dyson (Applicant).

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Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Councillor Judith Hughes (Local Ward Member).

### **RESOLVED –**

That consideration of the application be deferred in order to receive the following information: clarification on the start and finish times of the nearby schools; a further look at the impact of the proposed hours of class sessions on the surrounding transport network; a management plan covering traffic and parking; more detailed information on the types and numbers of delivery vehicles and management of the vehicles; clarification on the relationship of the application site to the residential occupation of 20 Thorpe Lane.

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

For: Councillors Armer, Bellamy, Eastwood, Griffiths Homewood, Sims, Sokhal, Ullah and Uppal. (9 Votes)

Against (0 votes)

### **18 Planning Application - Application No: 2016/91200**

The Sub Committee gave consideration to Planning Application 2016/91200  
Erection of single storey rear extension, dormer window to rear and porch to front, formation of retaining wall and associated works 23, Spa Wood Top, Whitehead Lane, Lockwood, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Aziz Patel (Applicant).

Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Councillor Julie Stewart-Turner (Local Ward Member).

### **RESOLVED –**

That contrary to the officers recommendation that the application be refused.

The committee considered that the scale of the scheme was an overdevelopment of the site and that the external facing materials and overbearing nature of the retaining wall resulted in a scheme that was detrimental to visual amenity.

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

For: Councillors Armer, Bellamy, Eastwood, Griffiths Homewood, Sims, Sokhal, Ullah and Uppal. (9 Votes)

Against (0 votes)

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### 19 **Planning Application - Application No: 2018/91045**

The Sub Committee gave consideration to Planning Application 2018/91045  
Erection of fence and alterations to driveway 47, Meltham Road, Honley.

#### **RESOLVED –**

Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment to complete the list of conditions including those contained within the considered report including:

1. Time limit to commence development
2. Development in accordance with approved plans

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

For: Councillors Armer, Bellamy, Eastwood, Griffiths Homewood, Sims, Sokhal, Ullah and Uppal. (9 Votes)

Against (0 votes)

### 20 **Planning Application - Application No: 2018/90021**

The Sub Committee gave consideration to Planning Application 2018/90021  
Erection of studio/store for domestic use 4 Delves Cottage, The White House, Delves Gate, Slaithwaite, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Malcolm Sizer (on behalf of the applicant).

#### **RESOLVED –**

That contrary to officers recommendation that the application be approved.

The Committee considered that the scheme would not be a disproportionate addition to the original building and would not constitute an overdevelopment of the site.

It was noted that Committee requested that a condition was put in place that in the interests of the Green Belt permitted development rights should be removed to prevent any further development.

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

For: Councillors Armer, Bellamy, Eastwood, Griffiths Homewood, Sims, Sokhal, Ullah and Uppal. (9 Votes)

Against (0 votes)