

Contact Officer: Richard Dunne

## KIRKLEES COUNCIL

### PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

**Thursday 9th August 2018**

Present: Councillor Terry Lyons (Chair)  
Councillor Donna Bellamy  
Councillor Richard Eastwood  
Councillor Nell Griffiths  
Councillor James Homewood  
Councillor Ken Sims  
Councillor Mohan Sokhal  
Councillor Sheikh Ullah  
Councillor Harpreet Uppal  
Councillor Steve Hall

Apologies: Councillor Mohammad Sarwar

**1 Membership of the Committee**

Councillor Steve Hall substituted for Councillor Mohammad Sarwar.

**2 Minutes of previous meeting**

**RESOLVED** - The Minutes of the meeting held on 21 June 2018 were approved as a correct record.

**3 Interests and Lobbying**

Councillor Bellamy declared an 'other interest' in application 2018/91492 on the grounds that she was a member of Holme Valley Parish Council.

Councillors Bellamy, Sims, Eastwood, Sokhal, Ullah, Homewood, Uppal, Griffiths and Lyons declared that they had been lobbied on application 2017/93333.

Councillor Sims declared that he had been lobbied on application 2018/91492.

Councillors Homewood, Uppal, Griffiths and Lyons declared that they had been lobbied on application 2018/90413.

Councillor Homewood declared that he had been lobbied on application 2017/93544.

Councillor Lyons declared that he had been lobbied on application 2018/90941.

**4 Admission of the Public**

All items on the agenda were taken in public session.

## Planning Sub-Committee (Huddersfield Area) - 9 August 2018

### 5 Deputations/Petitions

No deputations or petitions were received.

### 6 Public Question Time

No questions were asked.

### 7 Site Visit - Application No: 2017/93544

Site visit undertaken.

### 8 Site Visit - Application No: 2017/93333

Site visit undertaken.

### 9 Site Visit - Application No: 2018/90941

Site visit undertaken.

### 10 Site Visit - Application No: 2018/91492

Site visit undertaken.

### 11 Local Planning Authority Appeals

That the report be noted.

### 12 Planning Application - Application No: 2018/90413

The 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 Jan Dyson, Antony Dyson, Kerry Green, Julie Horsman and Caron Cour (in support).

Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Cllr Cathy Scott on behalf of Cllr Judith Hughes (Local Ward Member).

#### **RESOLVED –**

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

1. 3 year time limit to commence development.
2. Development to be in accordance with plans
3. Development to operate in accordance with Traffic Management Plan
4. Hours of use and class times
5. Maximum numbers of students, day/evening
6. Training centre (D1 use) to be only used as described in the application and no other use within Class D1.
7. Parking spaces to be provided and retained (within 2 months, or use to stop)
8. Tied use to occupier/owner of Thorpe Grange Manor and only whilst occupying Thorpe Grange Manor

## **Planning Sub-Committee (Huddersfield Area) - 9 August 2018**

9. Gate to be open allowing access to car parking spaces during hours of business/open for the arrival and exit of students.
10. Restrictions on deliveries
11. Noise mitigation measures (within 1 month)
12. Arboricultural Method Statement (prior to parking spaces being provided)

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

For: Councillors Bellamy, Eastwood, Griffiths, S Hall, Homewood, Lyons, Sims and Uppal (8 Votes)

Against: Councillors Sokhal and Ullah (2 votes)

### **13 Planning Application - Application No: 2017/93544**

The Committee gave consideration to Planning Application 2017/93544 Erection of 5 detached dwellings and garage ancillary to 33, Woodside Lane 33, Woodside Lane, Fixby, Huddersfield.

#### **RESOLVED –**

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

The Committee considered that the proposed scheme was an overdevelopment of the site that would be out of character with the host dwelling and impact on its residential amenity. In addition the Committee considered that the proposed plots 4 and 5 were too close to the woodland area and the proximity of the mature trees would result in an unacceptable level of shading and loss of light for future occupiers.

The Committee also considered that the intensification of traffic on the quiet adopted road, which also carried the route of a bridleway, would not be in the interests of highway safety. The Committee also felt that the applicant had not satisfactorily demonstrated the usage of the site by bats and measures to mitigate the impact on the local wildlife.

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

For: Councillors Bellamy, Eastwood, Griffiths, S Hall, Homewood, Lyons, Sims, Sokhal, Ullah and Uppal (10 Votes)

Against: (0 votes)

### **14 Planning Application - Application No: 2017/93333**

The Sub Committee gave consideration to Planning Application 2017/93333 Outline application for the erection of up to 12 dwellings (revised description) Land off, Grove Street, Longwood, Huddersfield.

## **Planning Sub-Committee (Huddersfield Area) - 9 August 2018**

Under the provisions of Council Procedure Rule 37 the Committee received a representation from John Johns (on behalf of the applicant)

### **RESOLVED –**

That the application be refused in line with the following reasons that were included in the considered report:

The site lies on an area of land allocated for housing on the Kirklees Unitary Development Plan and also lies within the Kirklees Wildlife Habitat Network and within a mature woodland, protected by a Tree Preservation Order, which is identified as a habitat of principal importance by Natural England. The development would result in the significant removal of trees within a woodland Tree Preservation Order, the loss of which would be significantly harmful to public amenity and the distinctiveness of this part of Grove Street. In addition, the proposals would fail to address the significant harm to a habitat of principal importance and identified, but uncharacterised, impacts to species protected through European and domestic legislation, ecological constraints arising from the habitat potential of the mature woodland and the potential presence of protected species. In the context of paragraph 11 of the National Planning Policy Framework such conflict represents significant and demonstrable harm outweighing the benefits of providing housing in this case resulting in an unsustainable development, contrary to Policies NE5, NE9 and BE2(iv) of the Kirklees Unitary Development Plan and emerging Policies PLP30, PLP33 and PLP24(h) of the Kirklees Publication Draft Local Plan and the National Planning Policy Framework (2018).

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

For: Councillors Bellamy, Eastwood, Griffiths, S Hall, Homewood, Lyons, Sims, Sokhal, Ullah and Uppal (10 Votes)

Against: (0 votes)

### **15 Planning Application - Application No: 2018/90941**

The Sub Committee gave consideration to Planning Application Planning Application 2018/90941 Outline application for residential development Springfields, Mill Moor Road, Meltham, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received representations from James Shaw and Lorraine Shaw (Objectors) and Ian Whitworth (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. Standard timeframe for the submission of reserved matters
2. Requirement for reserved matters submission

## Planning Sub-Committee (Huddersfield Area) - 9 August 2018

3. Highways conditions (parking, sight lines, surfacing, waste collection, retaining structures and surface water attenuation)
4. Environmental Health Conditions (potential contamination, installation of electric vehicle charging points)
5. Drainage Conditions (surface water management, foul water and land drainage, Investigations to ascertain presence of ordinary water course, limits on surface water discharge rate, provision of temporary drainage)
6. Ecology condition (Further bat survey work if a reserved matters application is not made within 2 years, protection of trees/hedgerows during nesting season, submission of an ecological design strategy)
7. Provision of affordable housing
8. Provision of public open space contribution

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:

A motion to refuse the application

For: Councillors Bellamy, Eastwood and Sims (3 Votes)

Against: Councillors Griffiths, S Hall, Homewood, Lyons, Sokhal, Ullah and Uppal (7 votes)

A motion to approve the application in line with the officers recommendation

For: Councillors Griffiths, S Hall, Homewood, Lyons, Sokhal, Ullah and Uppal (7 votes)

Against: Councillors Bellamy, Eastwood and Sims (3 Votes)

### **16 Planning Application - Application No: 2018/91492**

The Sub Committee gave consideration to Planning Application 2018/91492  
Erection of a detached dwelling (within a Conservation Area) Land Adj, 27, Goose Green, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Andrew Keeling (Agent).

#### **RESOLVED –**

That contrary to officers recommendation that the application be approved.

The Committee considered that the development would not harm the character of the Holmfirth Conservation Area and would not result in an undue overbearing impact to the occupiers of no. 25 Goose Green.

## **Planning Sub-Committee (Huddersfield Area) - 9 August 2018**

The Committee requested that a condition be included that a construction management plan be submitted to include hours of working and deliveries are conducted outside of school start and finish times.

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

For: Councillors Bellamy, Eastwood, Griffiths, S Hall, Sims, Sokhal and Ullah (7 Votes)

Against: Councillors Homewood and Uppal (2 votes)

Abstained: Councillor Lyons

### **17 Planning Application - Application No: 2018/90776**

The Sub Committee gave consideration to Planning Application 2018/90776 Outline application for erection of up to 10 dwellings Land at, Yew Tree Road/Burn Road, Birchencliffe, Huddersfield.

#### **RESOLVED –**

That consideration of the application be deferred to allow officers an opportunity to bring back to the Committee a report to include: a more detailed overview of how the development fits with the overall development plans in the local area; and details of any planned improvements to the local highways infrastructure to include: details of what Section 106 contributions have been allocated for highways infrastructure and when they have or will take place ; and details of any other issues relating to Section 106 matters including where contributions are required and what has been committed.

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

For: Councillors Bellamy, Eastwood, Griffiths, S Hall, Homewood, Lyons, Sims, Sokhal, Ullah and Uppal (10 Votes)

Against: (0 votes)

### **18 Planning Application - Application No: 2018/91119**

The Sub Committee gave consideration to Planning Application 2018/91119 Outline application for erection of residential development Land to the rear of 11 Holme Avenue, Dalton, Huddersfield.

#### **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. Standard Outline condition (submission of reserved matters)
2. Standard Outline condition (implementation of reserved matters)
3. Standard Outline condition (reserved matters submission time limit)

## Planning Sub-Committee (Huddersfield Area) - 9 August 2018

4. Standard Outline condition (reserved matters implementation time limit)
5. Details of retaining walls
6. Visibility splays
7. Details of junction works
8. Travel plan
9. Details of internal road(s)
10. Details of works adjacent to footpath HUD/100/10
11. Construction management
12. Ecology
13. Drainage
14. Affordable Housing (if Reserved Matters is for more than 11 dwellings)
15. Public Open Space
16. Education
17. Sustainable transport package
18. Noise Report
19. Contamination Reports
20. Drainage and Yorkshire Water conditions
21. Landscaping
22. Bat and bird boxes

It was noted that the Committee requested that the applicants be advised that due to the number of applications that had been previously granted on the site the Committee would wish to see the site developed as soon as possible.

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

For: Councillors Bellamy, Eastwood, Griffiths, S Hall, Homewood, Lyons, Sims, Sokhal, Ullah and Uppal (10 Votes)

Against: (0 votes)

### **19 Planning Application - Application No: 2018/91685**

The Sub Committee gave consideration to Planning Application 2018/91685  
Erection of single storey rear extension 9, Clough Head, Slaithwaite Gate, Bolster Moor, Huddersfield.

#### **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 condition
2. Development in accordance with approved plans
3. Materials to match existing dwelling
4. Permitted development rights removed for extensions and outbuildings.

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

## **Planning Sub-Committee (Huddersfield Area) - 9 August 2018**

For: Councillors Bellamy, Eastwood, Griffiths, S Hall, Homewood, Lyons, Sims, Sokhal, Ullah and Uppal (10 Votes)

Against: (0 votes)

### **20 Planning Application - Application No: 2018/91722**

The Sub Committee gave consideration to Planning Application 2018/91722  
Erection of single storey rear extension and garage with store below 147,  
Huddersfield Road, Meltham, Holmfirth.

#### **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. The development shall be begun within three years of the date of any permission
2. The development where permitted shall be carried out in accordance with the approved plans
3. The external walls and roofing materials should in all respects match those in the construction of the host dwelling.

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

For: Councillors Bellamy, Eastwood, Griffiths, S Hall, Homewood, Lyons, Sims, Sokhal, Ullah and Uppal (10 Votes)

Against: (0 votes)

### **21 Planning Application - Application No: 2018/91529**

The Sub Committee gave consideration to Planning Application 2018/91529  
Erection of single storey extension 12, Woodlea Avenue, Marsh, Huddersfield.

#### **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. The development shall be begun within three years of the date of this permission
2. The development hereby permitted shall be carried out in accordance with the approved plans
3. The external walls and roofing materials of the extension shall in all respects match those used in the construction of the original house

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

For: Councillors Bellamy, Eastwood, Griffiths, S Hall, Homewood, Lyons, Sims, Sokhal, Ullah and Uppal (10 Votes)

Against: (0 votes)