

Contact Officer: Richard Dunne

## **KIRKLEES COUNCIL**

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

**Thursday 20th September 2018**

Present: Councillor Terry Lyons (Chair)  
Councillor Donna Bellamy  
Councillor Nell Griffiths  
Councillor James Homewood  
Councillor Mohammad Sarwar  
Councillor Ken Sims  
Councillor Mohan Sokhal  
Councillor Sheikh Ullah  
Councillor Harpreet Uppal  
Councillor Bernard McGuin  
Councillor Andrew Pinnock

**1 Membership of the Committee**

Councillor Andrew Pinnock substituted for Councillor Gemma Wilson.

**2 Minutes of previous meeting**

The Minutes of the meeting held on 9 August 2018 were approved as a correct record.

**3 Interests and Lobbying**

Councillors McGuin, Homewood, Griffiths, Uppal, A Pinnock and Ullah declared that they had been lobbied on application 2018/91636.

Councillors McGuin, Griffiths, Uppal, Lyons and Homewood declared that they had been lobbied on application 2018/91623.

Councillor Bellamy declared an 'other interest' in application 2017/94120 on the grounds that she was a member of Holme Valley Parish Council.

Councillor Bellamy declared that she had been lobbied on application 2018/92466.

Councillor Sims declared that he had been lobbied on application 2017/94120

Councillors Sokhal and Ullah declared that they had been lobbied on application 2017/93973.

Councillor Homewood declared he had been lobbied on application 2018/90827.

Councillor Uppal declared an 'other interest' in application 2018/91623 on the grounds that she personally knew the agent who was representing the applicant.

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### 4 **Admission of the Public**

All items on the agenda 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: 2017/93973**

Site visit undertaken.

### 8 **Site Visit - Application No: 2018/90912**

Site visit undertaken.

### 9 **Site Visit - Application No: 2018/91636**

Site visit undertaken.

### 10 **Site Visit - Application No: 2018/90978**

Site visit undertaken.

### 11 **Site Visit - Application No: 2018/91623**

Site visit undertaken.

### 12 **Site Visit - Application No: 2017/94120**

Site visit undertaken.

### 13 **Local Planning Authority Appeals**

That the report be noted.

### 14 **Tree Work Application - Application No: 2018/92466**

The Committee gave consideration to Tree Application 2018/92466 consent to carry out works within woodland located between Wilshaw Road, Wilshaw Mill Road and properties on the Avenue, Wilshaw, Meltham.

**RESOLVED** – Approval to carry out works be granted.

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

For: Councillors Bellamy, Griffiths, Homewood, Lyons, McGuin, A Pinnock, Sarwar, Sims, Sokhal, Ullah and Uppal (11 Votes)

Against : (0 votes)

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

The 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

## **Planning Sub-Committee (Huddersfield Area) - 20 September 2018**

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Alistair Flatman (agent).

Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Cllr Richard Eastwood (Local Ward Member).

**RESOLVED** – Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment to :

1) Complete the list of conditions including those 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
7. Electric vehicle charging points to be provided
8. Sustainable travel contribution
9. Construction management plan
10. Detailed road junction design
11. 6m radii to Yew Tree Road/Burn Road junction

2) Secure a S106 obligation covering the following matters:

1. Education contribution
2. Affordable housing (20% of the total number of units on the site)
3. Public Open Space
4. Financial contribution towards off-site improvement works at the Halifax Road/East Street (Cavalry Arms) junction (figure dependent on number of dwellings to be agreed under 'layout' at reserved matters)

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

For: Councillors Griffiths, Homewood, Lyons, A Pinnock, Sarwar, Sokhal and Ullah (7 Votes)

Against: Cllrs Bellamy, McGuin, Sims and Uppal (4 votes)

### **16 Planning Application - Application No: 2018/90912**

The Sub Committee gave consideration to Planning Application 2018/90912 Reserved matters application

pursuant to outline permission 2015/91093 for erection of residential development (17 dwellings) (within a Conservation Area) Land Off, Hollyfield Avenue, Quarmby, Huddersfield

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

**RESOLVED –**

1) 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 and the update list including:

1. Development to be carried out in accordance with approved plans
2. Samples of materials to be submitted and agreed (including retaining structures)
3. Highways conditions dealing with
  - Junction works between the proposed estate road and Hollybank Avenue.
  - proposed adoptable roads
  - storage and access for the collection of wastes
  - contractors parking, loading and unloading arrangements
  - Design of retaining walls adjacent to existing/proposed adoptable highways.
  - Proposed culverts/surface water attenuation tanks within the proposed adoptable highway.
4. Implementation of biodiversity enhancement measures indicated on approved drawings.
5. Construction management plan.
6. Details of bin collection point.

1) That the discharge of the matters reserved for approval in condition 6 (public open space) of the outline planning permission is reported to the committee for determination.

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

For: Councillors Bellamy, Griffiths, Homewood, Lyons, McGuin, A Pinnock, Sarwar, Sims, Sokhal, Ullah and Uppal (11 Votes)

Against : (0 votes)

**17 Planning Application - Application No: 2017/94120**

The Sub Committee gave consideration to Planning Application Planning Application 2017/94120 Reserved Matters application for erection of 2 dwellings pursuant to outline permission 2015/92993 for erection of residential development land off, Butt Lane, Hepworth, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Anne Dickson and Chris Dickson (objectors) and Hamish Gledhill (agent).

Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Cllr Donald Firth (Local Ward Member).

**RESOLVED –** That contrary to officers recommendation that the application be refused.

## **Planning Sub-Committee (Huddersfield Area) - 20 September 2018**

The Committee considered that taking account of local knowledge and the past experiences of flooding in the development site that there was an unacceptable risk of flood damage to the proposed dwellings and a risk to the occupants.

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

A motion to defer the application

For : Councillors Griffiths ,Homewood, Lyons, A Pinnock and Uppal (5 votes)

Against: Councillors Bellamy, McGuin, Sarwar, Sims , Sokhal and Ullah (6 Votes)

A motion to refuse the application

For: Councillors Bellamy, McGuin, Sarwar, Sims , Sokhal and Ullah (6 Votes)

Against : Councillors Griffiths ,Homewood, Lyons, A Pinnock and Uppal (5 votes)

### **18 Planning Application - Application No: 2018/90827**

The Sub Committee gave consideration to Planning Application 2018/90827  
Erection of detached dwelling adj 14, The Fairway, Fixby, 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 proposed dwelling would respect the predominant character of development in the area and would be in keeping with the surrounding estate.

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

For: Councillors Bellamy, Griffiths, Homewood, Lyons, McGuin, A Pinnock, Sarwar, Sims, Sokhal, Ullah and Uppal (11 Votes)

Against: (0 votes)

### **19 Planning Application - Application No: 2018/90978**

The Sub Committee gave consideration to Planning Application 2018/90978  
Erection of two storey and single storey extensions Brigsteer, 402, Birkby Road, Birkby, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Sheila Harrison, Christopher Hardern, Carole Hardern, and Robert Taylor-Hughes (objectors) and Hamish Gledhill (agent).

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**RESOLVED** – That contrary to the officers recommendations that the application be refused.

The Committee considered that the proposal would result in an overdevelopment of the site and would be out of proportion in relation to the surrounding properties.

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

For: Councillors, Griffiths, McGuin, A Pinnock, Sarwar, Sims and Sokhal (6 Votes)

Against : Councillors Homewood and Uppal (2 votes)

Abstained : Councillors Bellamy, Lyons and Ullah

### 20 **Planning Application - Application No: 2017/93973**

The Sub Committee gave consideration to Planning Application 2017/93973 Change of use of dwelling into two dwellings and first floor side extension 103, Greenhead Road, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Gurdial Singh and Lesley Taylor (on behalf of the applicant) and Balwant Singh (applicant)

**RESOLVED** – That in line with officers recommendations that the application be refused for the following reasons outlined in the considered report:

1. The proposed first floor extension when considered cumulatively with the previous extensions to the property, would result in an overly prominent and incongruous structure in the streetscene. Furthermore the extension and subdivision of the property to form two dwellings would result in an overdevelopment of the site. This includes the amount of car parking required and limited amenity space available to future residents. To permit such a development would be detrimental to visual amenity and fail to accord with the requirements of Policy D2 (ii), (vi) and (vii) of the Kirklees Unitary Development Plan, Policy PLP24 (a) and (c) of the Publication Draft Local Plan and guidance in Chapter 12 of the National Planning Policy Framework.
2. The access onto Greenhead Road from the private drive is substandard due to inadequate sight lines in both directions which would be to the detriment of highway safety and contrary to Policy D2 and T10 of the Unitary Development Plan, Policy PLP21 of the Publication Draft Local Plan and advice within the National Planning Policy Framework.
3. The proposed sub-division of the property to provide two separate dwellings would result in limited private amenity space for either property. The only usable space, not given over to access and parking being an open, elevated area above Gledholt Bank. It is considered that this would not promote a healthy environment for future occupiers contrary to Policy BE1(iv) of the UDP and paragraph 127 (f) of the NPPF.

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

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For: Councillors, Bellamy, Griffiths, Lyons, McGuin, A Pinnock, Sims and Uppal (7 Votes)

Against: (0 Votes)

Abstained : Councillors Homewood and Ullah

### 21 **Planning Application - Application No: 2018/91623**

The Sub Committee gave consideration to 2018/91623 Change of use from dwelling to sui generis use for commercial letting for more than 6 guests at any one time (within a Conservation Area) 221, Meltham Road, Netherton, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Andrew Windress (agent) and Sara Wolfenden (applicant)

**RESOLVED** – That contrary to officers recommendation that the application be approved for a temporary period of 12 months.

The committee considered that this temporary period of approval would provide an opportunity for complaints to be monitored and to assess the impact on highway safety and residential amenity.

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

For: Councillors Bellamy, Griffiths, Homewood, Lyons, McGuin, A Pinnock, Sims , Sokhal and Ullah (9 Votes)

Against : (0 votes)

### 22 **Planning Application - Application No: 2018/91636**

The Sub Committee gave consideration to Planning 2018/91636 Erection of single storey rear extension 954, New Hey Road, Outlane, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Robert and Dale Read (applicants)

**RESOLVED** – That contrary to officers recommendation that the application be approved.

The Committee considered that the proposed extension would not have a detrimental impact on the visual amenity of the property and it would not constitute an overdevelopment of the site.

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

For: Councillors Bellamy, Griffiths, Homewood, McGuin, Sims and Sokhal (6 Votes)

Against : Councillor A Pinnock (1 vote)

Abstained: Councillors Lyons and Uppal