

Contact Officer: Andrea Woodside

## **KIRKLEES COUNCIL**

### **PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)**

**Thursday 15th November 2018**

Present:

- Councillor Paul Kane (Chair)
- Councillor Mahmood Akhtar
- Councillor Michelle Grainger-Mead
- Councillor John Lawson
- Councillor Fazila Loonat
- Councillor Mussarat Pervaiz
- Councillor Andrew Pinnock
- Councillor Kath Taylor
- Councillor Mark Thompson
- Councillor Graham Turner
- Councillor Mohan Sokhal

**1 Membership of the Committee**

Councillor Sokhal substituted for Councillor Scott.

**2 Minutes of Previous Meeting**

**RESOLVED** – That the Minutes of the Meeting held on 4 October 2018 be approved as a correct record.

**3 Interests and Lobbying**

Councillor A Pinnock declared that he had been lobbied on Application 2017/91467.

Councillors Akhtar, Loonat and Kane declared that they had been lobbied on Application 2017/94255.

Councillor Kane declared that he had been lobbied on Application 2018/90723.

**4 Admission of the Public**

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

**5 Deputations/Petitions**

No deputations or petitions were received.

**6 Public Question Time**

Councillor A Pinnock asked a question with regards to the criteria for referring applications to the Sub-Committee for determination.

A response was jointly provided by the Chair of the Committee and the Development Management Leader.

**7 Site Visit - Application 2018/90723**

Site visit undertaken.

**8 Site Visit - Application 2018/92605**

Site visit undertaken.

**9 Site Visit - Application 2018/91467**

Site visit undertaken.

**10 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 of the Local Planning Authority.

**RESOLVED** - That the report be noted.

**11 Proposed Diversion of Part of the Public Footpath at Brook Meadows, Denby Dale**

The Committee gave consideration to an application to divert part of a public footpath at Brook Meadows, Denby Dale, and for an alternative footpath to be provided. The report advised that the application, which was made under Section 257 of the Town and Country Planning Act 1990, would enable vehicular access to a site where a new property was proposed.

**RESOLVED** -

- 1) That the Service Director – Legal, Governance and Monitoring, be authorised to make and seek confirmation of an Order under Section 257 of the Town and Country Planning Act 1990 to divert the non-definitive footpath.
- 2) That it be noted that the diversion of the footpath will enable the implementation of Planning Consent 2015/91913.

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Loonat, Pervaiz, A Pinnock, Sokhal, K Taylor, Thompson and Turner (11 votes)

Against: (no votes)

**12 Planning Application - Application No: 2017/94255**

The Committee gave consideration to Application 2017/94255 – Demolition of existing building and erection of Place of Worship/Faith Centre at Al-Hikmah Centre, 29 Track Road, Batley.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Al Simarraie, Abdul Ravat and Bashir Karut (on behalf of the applicant)

**RESOLVED** – That the Application be deferred in order to (i) enable information to be submitted regarding a potential tree replacement planting scheme and (ii) allow

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further highways information to be submitted, particularly in relation to how the various site uses would interact.

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Loonat, Pervaiz, A Pinnock, Sokhal, K Taylor, Thompson and Turner (11 votes)

Against: (no votes)

### **13 Planning Application - Application No: 2018/91467**

The Committee gave consideration to Application 2018/901467 – Erection of 8 dwellings at the Westfield Hotel, 356 Whitehall Road, Wyke.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Pamela Ganfield (local resident) and Andy Keeling (applicant's agent).

#### **RESOLVED –**

- 1) 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
  - development to be completed in accordance with approved plans
  - submission of a Phase I report
  - submission of a Phase II report
  - site investigation
  - remediation strategy
  - validation
  - noise mitigation in accordance with submitted report
  - ventilation scheme
  - air quality impact assessment
  - materials (natural stone and slate to be submitted)
  - remove permitted development rights for new extensions/outbuildings
  - scheme for provision of electric vehicle charging points – minimum 16 amps
  - ecological design strategy
  - internal adoptable roads
  - surfaced and drained
- 2) That engagement with Ward Members take place in regards to the discharge of conditions relating to mitigation measures.

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Loonat, Pervaiz, A Pinnock, Sokhal, K Taylor, Thompson and Turner (11 votes)

Against: (no votes)

**14 Planning Application - Application No: 2018/92605**

The Committee gave consideration to Application 2018/92605 – Erection of 6 dwellings and ancillary building and associated landscaping at former Woodwell House, Mayman Lane, Batley.

**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
- development to be carried out in accordance with approved plans
- submission of details of building materials
- submission of details of boundary treatments and retaining wall
- submission of an Intrusive Site Investigation Report in relation to both contaminated land and coal mining legacy
- submission of a remediation strategy relating to contaminated land and coal mining legacy (pre-commencement)
- implementation of the remediation strategy in relation to both contaminated land and coal mining legacy
- submission of validation report in relation to contaminated land
- electric vehicle charging points
- submission of an invasive non-native species protocol (pre-commencement)
- submission of an Ecological Design Strategy
- submission of a full hard and soft landscaping scheme
- submission of a scheme restricting the rate of surface water discharge
- surfacing and drainage of areas to be used by vehicles and/or pedestrians
- provision of visibility splays
- scheme for the relocation of bus stops

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Loonat, Pervaiz, A Pinnock, Sokhal, K Taylor, Thompson and Turner (11 votes)

Against: (no votes)

**15 Planning Application - Application No: 2018/92159**

The Committee gave consideration to Application 2018/92159 – Erection of single storey front and rear extensions and rear former window at 6 Morton Grove, Thornhill Lees, Dewsbury.

**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;

- standard time limit for development to begin – 3 years
- development to be carried out in accordance with the approved plans
- external walls and roofing materials to match those in the construction of the host dwelling

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- permitted development rights to be removed for the installation of new openings within the North and South elevations of the single storey rear extension
- parking area to the frontage shall be surfaced and drained

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Loonat, Pervaiz, A Pinnock, Sokhal, K Taylor, Thompson and Turner (11 votes)

Against: (no votes)

### **16 Planning Application - Application No: 2018/90723**

The Committee gave consideration to Application 2018/90723 – Erection of extensions and alterations to existing outbuilding to create dwelling forming annex accommodation associated with, at 32 Falcon Road, Savile Town.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Y Patel (applicant).

**RESOLVED** – That the application be refused on the grounds that (i) by virtue of the scale and design of the extensions to the existing outbuilding in a prominent location, the building would be unduly prominent and would have a detrimental visual impact on the character of the host dwelling, the character of the area and the streetscene when viewed from Headfield Road and Falcon Road (ii) the design of the proposed building would not relate to the existing property and would result in overdevelopment of the site, failing to comply with Policies D2, BE1 and BE2 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan and Chapter 12 of the National Planning Policy Framework (iii) the proposal, by virtue of habitable room windows in the side elevation of the proposed annex, would lead to direct overlooking and a loss of privacy to the rear amenity space of 30 Falcon Road and (iv) to approve the application would be significantly harmful to residential amenity, contrary to Policies D2 and BE12 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan and the Core Planning Principles of the National Planning Policy Framework.

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Loonat, Pervaiz, A Pinnock, Sokhal, K Taylor, Thompson and Turner (10 votes)

Against: (no votes)

Abstained: Councillor Pervaiz

### **17 Planning Application - Application No: 2018/93120**

The Committee gave consideration to Application 2018/93120 – Erection of detached dwelling (modified proposal) at Plot 1, land to rear of 59 Far Bank, Shelley, Huddersfield.

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**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;

- standard time limit for development to begin – 3 years
- development carried out in accordance with the plans and specifications
- facing and roofing materials to be inspected and approved by the Local Planning Authority
- appropriate surfacing of all areas indicated for vehicular access and turning area
- no gates/barriers to be erected across the vehicular access from Far Bank
- relocation of street lighting column

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

For: Councillors Akhtar, Grainger-Mead, Kane, Lawson, Loonat, Pervaiz, A Pinnock, Sokhal, K Taylor, Thompson and Turner (11 votes)

Against: (no votes)