

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 22nd November 2018

Present: Councillor Steve Hall (Chair)
Councillor Donna Bellamy
Councillor Donald Firth
Councillor Paul Kane
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Rob Walker

1 Membership of the Committee

All Committee Members were present.

2 Minutes of the Previous Meeting

The Minutes of the meeting held on 25 October 2018 were approved as a correct record.

3 Interests and Lobbying

Councillors Kane, Bellamy, Pattison, Walker and S Hall declared they had been lobbied on application 2018/91661.

Councillors A Pinnock, Bellamy and S Hall declared they had been lobbied on application 2018/92686.

Councillor S Hall declared he had been lobbied on application 2018/92589.

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: 2018/90607

Site visit undertaken.

8 Site Visit - Application No: 2018/92686

Site visit undertaken.

9 Site Visit - Application No: 2018/92823

Site visit undertaken.

Strategic Planning Committee - 22 November 2018

10 Local Planning Authority Appeals

That the report be noted.

11 Planning Application - Application No: 2018/91661

The Committee gave consideration to Planning Application 2018/91661 Proposed residential development - outline application for up to 74 dwellings with means of access to, but not within, the site Land at Walkley Terrace and Brunswick Street, Heckmondwike.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Colin Berry (on behalf of the Spen Valley Civic Society) , Victoria Harrington, Anita Jones, Martyn Robinson, Jeannie Pollard, David Pollard, Harriet Young, Luke Harrington, Brian Harrington, Gordon North, Howard Gee and Alison Ozbey (objectors) and Alistair Flatman (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(1) the Committee received a representation from Councillor Viv Kendrick.

RESOLVED – That consideration of the application be deferred to allow:

(1) The applicants time to consider a request from the Committee to hold a public meeting with local residents and ward members in an attempt to resolve their concerns.

(2) Officers time to work with the applicants to provide more information on the indicative design, layout and scale of the development to include input from the West Yorkshire Combined Authority on the proposed reopening of a rail link in the Spen Valley.

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

For: Councillors Bellamy, D Firth, S Hall, Kane, Pattison and Walker (6 votes)

Against: Councillor A Pinnock (1 vote)

12 Planning Application - Application No: 2018/92686

The Committee gave consideration to Planning Application 2018/92686 Outline application for erection of retail (A1) and drive thru restaurant (A3) development and associated car parking, landscaping and infrastructure land adj, 127, Westgate, Heckmondwike.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Nick Willock (Agent).

RESOLVED – That consideration of the application be deferred in order to provide the applicants with an opportunity to address the reasons for refusal outlined in points 2-6 in the considered report and the update list to include the planned boundary treatment to mitigate the impact upon the occupants of residential properties on Boundary Street.

Strategic Planning Committee - 22 November 2018

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

For: Councillors Bellamy, D Firth, S Hall, Kane, Pattison A Pinnock and Walker (7 votes)

Against: (0 votes)

13 **Planning Application - Application No: 2018/90607**

The Committee gave consideration to Planning Application 2018/90607 Outline application for demolition of existing buildings and the erection of a new retail park with parking and access Land at Junction of Gelderd Road/Bankwood Way, Birstall, Batley.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Jonathan Ainley (agent).

RESOLVED –

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

(2) Refer the decision to the Health and Safety Executive (HSE) in accordance with the NPPG; and the Secretary of State in accordance with Circular 02/2009

(3) Subject to the HSE not calling in the application and the Secretary of State not intervening; secure the signing of a Section 106 Agreement to secure:

- A pedestrian improvements scheme on the neighbouring retail park; and
- Travel Plan Monitoring fee (£15,000 i.e. £3,000per annum for 5 years.

(4) Issue the decision notice and complete the list of conditions including those contained within the considered report including:

- i. Standard outline permission conditions x4
- ii. Highways conditions- new footway on Bankwood Way; improved footway on Gelderd Road signalised crossing; travel plan, travel plan monitoring.
- iii. Environmental Health conditions- remediation; Air Quality Assessment; electric charging points.
- iv. Drainage conditions- foul and surface water attenuation; flood routing; temporary drainage.
- v. Ecological Design Strategy.
- vi. Crime Prevention condition.
- vii. Retail conditions
 - Restrict the gross floorspace to 14,532 sq m (for avoidance of doubt including mezzanine level) and net floorspace to 11,650 sq m across the scheme, and restrict the use of the floorspace to the sale of comparison goods only.
 - The floorspace should be provided within eight units with a maximum gross floorspace of 2,325 sq m in any individual unit and a minimum gross floorspace of 765 sq m in any individual unit.

Strategic Planning Committee - 22 November 2018

(5) That, pursuant to (3) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Strategic Investment shall be authorised to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, and would therefore be permitted to determine the application and impose appropriate reasons for refusal under delegated powers.

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

For: Councillors Bellamy, D Firth, S Hall, Kane, Pattison A Pinnock and Walker (7 votes)

Against: (0 votes)

14 **Planning Application - Application No: 2018/92589**

The Committee gave consideration to Planning Application 2018/92589 Reserved matters application in pursuant of outline application 2016/90138 for residential development Land at, Lancaster Lane, Brockholes, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Gaynor Haliday (objector) and Hamish Gledhill (agent).

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

- (1) Development to be in accordance with approved plans.
- (2) Approval of samples of materials.
- (3) Detailed planting schedule.
- (4) Retaining walls faced in natural stone to match dwellings.
- (5) Updated survey work for badger activity on the site and mitigation measures as may be necessary in relation to the physical construction of the development.
- (6) Construction management plan.

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

For: Councillors S Hall, Kane, Pattison and Walker (4 votes)

Against: Councillors Bellamy and A Pinnock (2 votes)

Abstained: Councillor D Firth.

15 **Planning Application - Application No: 2018/92823**

The Committee gave consideration to Planning Application 2018/92823 Erection of 2 semi-detached dwellings rear of, 2, Green Gardens, Golcar, Huddersfield.

Strategic Planning Committee - 22 November 2018

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

- (1) 3 year time limit to implement the permission.
- (2) Development to be in accordance with the submitted plans.
- (3) Material samples to be provided.
- (4) Driveway to be surfaced, drained and provided.
- (5) Side windows and other noted to be obscure glazed.
- (6) Remove Permitted Development (PD) rights for side windows.
- (7) Remove PD rights for extensions and outbuildings.
- (8) Boundary treatment to be provided and retained.
- (9) Limitation on fence height to frontage adjacent to access and footpath.
- (10) 16amp minimum electric charging provision.

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

For: Councillors Bellamy, D Firth , S Hall, Kane, Pattison A Pinnock and Walker (7 votes)

Against: (0 votes)

16 **Planning Application - Application No: 2018/92561**

The Committee gave consideration to Planning Application 2018/92561 Erection of single storey side and rear extensions 290, Whitehall Road, Wyke.

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

- (1) The development to be begin within three years of the date of any permission
- (2) The development to 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.
- (4) Permitted development rights to be removed for the installation of new openings within the East elevation of the single storey side extension.

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

For: Councillors Bellamy, D Firth, S Hall, Kane, Pattison A Pinnock and Walker (7 votes)

Against: (0 votes)