

CHIEF EXECUTIVE EMERGENCY POWERS (Under Constitution at Article 12 (1) (d))

Strategic Director - Economy and Infrastructure

Name of meeting: Strategic Planning Committee

Date: 03rd June 2020

Title of report: Planning Decisions by Chief Executive Emergency Powers

The purpose of the report is to inform members of the Strategic Planning Committee of the decisions that have been taken using the Chief Executive Emergency Powers under Article 12 (1) (d) of the Constitution.

Electoral wards affected: Batley East, Batley West, Birstall and Birkenshaw, Colne Valley, Denby dale, Dewsbury South, Crosland Moor and Netherton, Mirfield.

Ward councillors consulted: Yes

Public or private: Public

Has GDPR been considered? Yes there are no are no GDPR implications.

1. Summary

This report is for information only.

Please refer to the attached COVID 19 statement that provides more details on the use of the Emergency Powers.

2. Information to note: The decisions made are as follows: -

Decision Date: 18/05/20

2.1 92587 Wheelwright Centre, Birkdale Road, Dewsbury- WF13 4HG

Alterations and partial demolition to convert existing building to form 65 residential units, installation of mezzanine floors, associated landscaping works (soft & hard landscaping) and car parking layout (within a Conservation Area).

Reason: Brownfield site; conservation area asset; economic regeneration.

Decision: Approval in accordance with recommendation, and conditions.

2.2 2019/90988 Land adj, lock 38, Marsden Lane, Marsden, Huddersfield, HD7 6AF-

Use of land for provision of camping facilities, formation of camper van sites, erection of 4 camping pods, toilet block and associated works

Reason: Decision Overdue / avoid delay/ keep business moving/ Investment in local Tourism.

Decision: Approval in accordance with recommendation, and conditions.

Note: S106 – will link occupation of the warden’s accommodation to the employee responsible for the management of the site. Occupation to cease when employment does, or business ceases whichever is sooner.

2.3 2019/90559 Unit 1, Birstall Shopping Park, Holden Ing Way, Birstall, WF17 9DT

Formation of mezzanine floor for retail sales, storage and ancillary café

Reason: Generate employment; economic regeneration; Risk of appeal costs.

Decision: Approval in accordance with recommendation, and conditions.

2.4 2019/91257 Birstall Shopping Park, Toys R Us, Holden Ing Way, Birstall, Batley, WF17 9DT

Erection of 3-metre-high palisade fencing to form external garden centre

Reason: Generate employment; economic regeneration; Risk of appeal costs

Decision: Approval in accordance with recommendation, and conditions

2.5 2019/93725 – Myers Building Supplies, Station Yard, Wood Lane, Denby Dale, Huddersfield, HD8 8QE-

Removal of existing single storey trade counter building and erection of single storey Trade counter building

Reason: Sustain established local business; employment generation

Decision: Approval in accordance with recommendation, and conditions.

2.6 2020/90096- land off, Lees Hall Road, Dewsbury-

Engineering application for roundabout, spine road, two dual use drainage basins / Public open space with associated landscaping, and the formation of the Leeds Hall Road Green Gateway consisting of an underground drainage tank and associated landscaping

Reason: Avoid delay for priority area regeneration

Decision: Approval in accordance with recommendation and conditions.

Decision Date: 21/05/20

2.7 2020/90679 Netherton Infant and Nursery School, Netherton Moor Road, Netherton, Huddersfield, HD4 7JE

Erection of detached building for educational use (D1)

Reason: Additional Educational facilities support the local community

Decision: Approval in accordance with recommendation, and conditions.

2.8 2019/ 92361 former railway goods yard, adj, Fold Farm, Netherton Fold, Netherton, Huddersfield, HD4 7HB

Erection of 19 dwellings former railway goods yard, adj, Fold Farm, Netherton Fold, Netherton, Huddersfield, HD4 7HB

Reason: supporting housing delivery and associated benefits for employment economic growth

Decision: Approval in accordance with recommendation, including s106 and conditions.

2.9 2019/93444 land at former, Batley & District Cottage Hospital, Transvaal Terrace, Carlinghow Hill, Batley WF17 0AA

Partial demolition of existing building, alterations to convert retained building to 20 apartments and erection of 20 dwellings (within a Conservation Area)

Reason: Brownfield site; conservation area asset; economic regeneration

Decision- Approval in accordance with recommendation, S106 and conditions.

Note: Cllr Hall requested that stone gate piers on access to be retained and reused, this covered in highway access condition in report. Applicant has been informed. The landscaping condition also retains and enhances green landscaping to site entrance by the highway.

3. Implications for the Council

There will be no impact on the six main priority areas listed below

3.1 Working with People

3.2 Working with Partners

3.3 Place Based Working

3.4 Climate Change and Air Quality

4. Consultees and their opinions

Not applicable, the report is for information only

5. Next steps

Not applicable, the report is for information only

6. Officer recommendations and reasons

To note

7. Cabinet portfolio holder recommendation

Not applicable

8. Contact officer

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9. Background Papers and History of Decisions.

Not applicable

COVID 19 STATEMENT

Currently, we are in the UK's 'stay at home' lockdown and World Health Organisation has declared COVID19 to be a pandemic. Gatherings of people are not to occur, meaning the meeting of councils and their subsidiary committees cannot go ahead.

The Chief Planner wrote to all planning authorities on the 24th March 2020 advising that "it is important that authorities continue to provide the best service possible in these stretching times and prioritise decision-making to ensure the planning system continues to function, especially where this will support the local economy".

Consistent with the Chief Planner's advice to this Council of "using all options available to you to continue your service" we are exercising the constitutional emergency powers of the Chief Executive under namely:

In the current Covid 19 circumstances, the Chief Executive invokes Emergency Powers under Constitution at Article 12 (1) (d) and nominates and empowers the Strategic Director Economy and Infrastructure, in consultation with the Strategic Committee Chair to make decisions on any issues

Therefore, for the avoidance of doubt, the Strategic Director of Economy and Infrastructure in consultation with the Chair will determine planning applications that would otherwise have been decided at a meeting of the committee (Strategic or Sub-Committee).

It is essential that planning applications continue to be determined so as to support the economic regeneration of Kirklees following the ease of lockdown measures.

The following items have been considered appropriate for such determination for reasons, which include, but are not exclusive to, the following:

- Economic regeneration
- Generate employment
- Provision of housing
- Heritage regeneration
- Development of brownfield sites
- Potential loss of S106 obligations
- Sustain and support local businesses
- Risk of non-determination appeal costs

Please note, this list is not exhaustive and full details are provided at the beginning of each report contained in this agenda.

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