

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Tuesday 17th November 2020

Present: Councillor Steve Hall (Chair)
Councillor Donna Bellamy
Councillor Nigel Patrick
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Cathy Scott
Councillor Mohan Sokhal

Observers: Councillor Alison Munro
Councillor Aleks Lukic
Councillor Bernard McGuin

1 Membership of the Committee

All Members of the Committee were present.

2 Minutes of the Previous Meeting

RESOLVED – That the Minutes of the Meetings of the Committee held on 14 and 28 October 2020 be approved as a correct record.

3 Interests and Lobbying

Councillors Hall, Pattison and Scott advised that they had been lobbied in relation to Application 2020/92657. For clarity, Councillors Scott and Pattison further advised that:

- As Members of the Cabinet, they had been involved in the decision to close Almondbury Community School.
- That decision was a separate and independent matter to this planning application (2020/92657).
- They would consider the application with an open mind, listening to all the information put forward before making any decision.

Councillor Hall advised that he had been lobbied in relation to Application 2020/91894.

Councillor Scott advised that she had been lobbied in relation to Applications 2019/93616, 2020/92331 and 2020/92350.

4 Admission of the Public

All items on the agenda were taken in public session.

5 Public Question Time

No questions were asked.

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6 Deputations/Petitions

No deputations or petitions were received.

7 Planning Application - Application No: 2020/92657

The Committee gave consideration to Planning Application 2020/92657 - Erection of 10 classroom teaching block and formation of car parking area with associated engineering and landscape works (within a Conservation Area) at King James School, St Helen's Gate, Almondbury, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Helen Tones and Peter New (objectors) and Ian Rimmer, Principal and Matthew Rhodes, Agent (in support).

Under the provisions of Council Procedure Rule 36 (3) the Committee received representations from Councillors Alison Munro and Bernard McGuin.

RESOLVED –

That consideration of the application be deferred to allow the applicant to submit further information in relation to:

- An estimate of the likely percentage of children attending who will walk to/from school from within the new catchment area.
- A draft Travel Plan.
- Potential highway network improvements.
- Conditions to be attached.

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

For: Councillors Bellamy, S Hall, Patrick, A Pinnock, Scott and Sokhal (6 votes)
Against: Councillor Pattison (1 vote).

8 Planning Application - Application No: 2020/90614

The Committee gave consideration to Planning Application 2020/90614 relating to the erection of extensions to an existing store, alterations to include relocation of an ATM and the erection of a garden centre at Morrisons, Station Street, Meltham, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Steve Buckley (the Agent).

RESOLVED –

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development, in order to complete the list of conditions, including those contained within the Committee report, as set out below:

1. 3-year time limit to commence development.
2. Development to be done in accordance with plans.

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3. Materials of construction to match.
4. No site clearance within bird breeding season unless appropriately surveyed.
5. Provision of Ecological Design Strategy.
6. Development done in compliance with Flood Risk Assessment's mitigation measures.
7. Provision of Electric Vehicle Charging Point scheme.
8. Plant equipment noise not to exceed the background sound level at any time.
9. No installation of mezzanine floorspace.
10. Limit size of retail sales area to that submitted.
11. Limit floorspace ratio between comparison and convenience goods.
12. Contaminated land (Phase 1).
13. Contaminated land (Phase 2).
14. Contaminated land (Remediation).
15. Contaminated land (Validation).
16. Relocated bus drop off point and pedestrian crossing to be provided.
17. Public Right of Way (PROW) along frontage, technical details to be provided.

and to secure a Section 106 agreement to cover the following matters:

1. £10,000 contribution towards the enhancement and provision of the Meltham Greenway.
2. £10,000 for Travel Plan monitoring.

In the circumstances where the Section 106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Planning and Development shall 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; if so, the Head of Planning and Development is authorised 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, S Hall, Pattison, Patrick, A Pinnock, Scott and Sokhal (7 votes).

Against (0 votes)

9 Planning Application - Application No: 2020/91894

The Committee gave consideration to Planning Application 2020/91894 relating to the demolition of an existing building and erection of an engineering building with associated external works at David Brown Gear Systems, Park Gear Works, Park Road, Lockwood, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Hamish Gledhill (in support).

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RESOLVED –

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development, in order to complete the list of conditions, including those contained within the Committee report and the update, as set out below:

1. Standard time limit condition (3 years).
2. Development in accordance with the approved plans (as revised).
3. Residential construction management plan.
4. Contaminated land conditions (Submission of phase 1 and phase 2 reports, remediation strategy and validation as may be necessary).
5. Noise report and mitigation measures.
6. Ecological enhancement (bat and/or bird boxes).
7. Drainage condition(s) subject to final comments from Kirklees Lead Local Flood Authority.

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

For: Councillors Bellamy, S Hall, Pattison, Patrick, A Pinnock, Scott and Sokhal (7 votes)

Against (0 votes)

10 Planning Application - Application No: 2020/92206

The Committee gave consideration to Planning Application 2020/92206 in respect of the demolition of an existing garden room and erection of a detached building with covered deck area (Listed Building) at The Mansion, Storthes Hall, Storthes Hall Lane, Kirkburton, Huddersfield.

RESOLVED –

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development, in order to complete the list of conditions, including those contained within the Committee report, as set out below:

1. Standard 3 year time limit for implementation.
2. Development to be in accordance with the approved plans.
3. Materials to be as shown on the plans.
4. Works to be completed in accordance with the recommendations in the Arboricultural Method Statement.
5. Details of any additional tree works to be submitted prior to such works.
6. Works to be completed in accordance with the submitted lighting strategy.
7. Details of any future lighting that may be required to be submitted to and approved in writing by the Local Planning Authority.

and an additional condition requiring the building to be used at all times for residential purposes ancillary to the main dwellinghouse of The Mansion and not being separated, leased or sold as a separate residential unit.

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

For: Councillors Bellamy, S Hall, Pattison, Patrick, A Pinnock, Scott and Sokhal (7 votes).

Against (0 votes)

11 **Planning Application - Application No: 2019/93616**

The Committee gave consideration to Planning Application 2019/93616 relating to the erection of 46 dwellings [revised layout with vehicular access from southwest] at land to the south of Soureby Cross Way, East Bierley.

RESOLVED –

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development, in order to complete the list of conditions, including those contained within the Committee report and the update, as set out below:

1. Three years to commence development.
2. Development to be carried out in accordance with the approved plans and documents.
3. Submission of a Construction (Environmental) Management Plan (including temporary surface water drainage arrangements).
4. Provision of visibility splays.
5. Completion of coal legacy mitigation works.
6. Submission of details of a connection for pedestrians and cyclists between the main estate road and the track to the southwest.
7. Submission of amended drawings to accommodate 11.85m refuse vehicle swept paths.
8. Submission of details relating to internal adoptable roads.
9. Submission of details of surfacing and drainage of parking spaces.
10. Submission of details of visitor parking.
11. Cycle parking provision prior to occupation.
12. Provision of electric vehicle charging points (one charging point per dwelling with dedicated parking).
13. Submission of details of waste storage and collection.
14. Submission of details of retaining walls.
15. Submission of an Arboricultural Method Statement and Tree Protection Plan.
16. Submission of a detailed drainage design for surface water and land drainage.
17. Submission of a detailed exceedance flow routing plan.
18. No development or landscape features within water main easement.
19. No piped discharge of surface water from the development prior to the completion of surface water drainage works.
20. Submission of an intrusive site investigation report (phase II report).
21. Submission of a remediation strategy.
22. Submission of a validation report.
23. Submission of details of crime prevention measures.
24. Submission of details of electricity substation and its boundary treatments.

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25. External materials (details and samples to be submitted).
26. Submission of details of boundary treatments.
27. Submission of details of external lighting.
28. Submission of a full landscaping scheme and Ecological Design Strategy.
29. Submission of details of biodiversity enhancement and net gain.
30. Removal of permitted development rights for extensions and outbuildings.

and to secure a Section 106 agreement to cover the following matters:

1. Affordable housing – Nine affordable housing units (five social/affordable rent, four intermediate) to be provided in perpetuity.
2. Education – £195,227 contribution.
3. Sustainable transport – Measures to encourage the use of sustainable modes of transport, including a £34,021 contribution.
4. Open space – Contribution (amount to be confirmed) towards off-site provision.
5. Biodiversity – Contribution (amount to be confirmed) towards off-site measures to achieve biodiversity net gain.
6. Management – The establishment of a management company for the management and maintenance of any land not within private curtilages or adopted by other parties, and of infrastructure (including surface water drainage until formally adopted by the statutory undertaker).
7. Recreation ground – Transfer of part of application site to Council (for recreation use), to compensate for land to be used for vehicular access.

In the circumstances where the Section 106 agreement has not been completed within three months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the mitigation and benefits that would have been secured; if so, the Head of Planning and Development be authorised 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 S Hall, Pattison, Patrick, A Pinnock, Scott and Sokhal (6 votes)
Abstain: Councillor Bellamy (1 vote).

12 **Position Statements - Application Nos: 2020/92331 and 2020/92350**

The Committee considered Position Statements in respect of:

(i) An Outline Planning Application for the demolition of existing dwellings and development of a phased, mixed use scheme comprising residential development (up to 1,354 dwellings), employment development (up to 35 hectares of B1(part a and c), B2, B8 uses), residential institution (C2), development (up to 1 hectare), a local centre (comprising A1/A2/A3/A4/A5/ D1/D2 uses), a 2 form entry primary school including early years provision, green space, access and other associated infrastructure at land to the east of Leeds Road, Chidswell, Shaw Cross, Dewsbury.

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(ii) An Outline Planning Application for residential development (Use Class C3) of up to 181 dwellings, engineering and site works, demolition of existing property, landscaping, drainage and other associated infrastructure on land to the south of Heybeck Lane, Chidswell, Shaw Cross, Dewsbury.

Under the provisions of Council Procedure Rule 36 (3) the Committee received representations from Councillor Lukic.

Committee Members commented on the following issues:

- Response to concerns raised by Yorkshire Wildlife Trust.
- Importance of consideration of air quality impacts.
- Importance of buffer zones to existing residential properties and new development.
- The need for careful consideration of impact/location of outdoor sports provision.
- Proposed density of development and variations throughout the site.
- The wish to maximise the level of affordable housing.
- Would the primary school only serve children from this development?
- Greater scrutiny, at all stages, by internal consultees would be helpful to the Committee.
- It was questioned whether the site should be split into sections for consideration of the detailed, reserved matters.
- Infrastructure such as key roads and the school should be delivered prior to the housing.
- The importance of phasing and assurance about delivery of elements such as the employment space.
- Adherence to national minimum space standards.

RESOLVED –

That the contents of the Position Statement be noted.