

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Wednesday 28th April 2021

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

1 Membership of the Committee

All Members of the Committee were present.

2 Minutes of the Previous Meeting

The Minutes of the meeting of the Committee held on 31st March 2021 were agreed as a correct record.

3 Declaration of Interests and Lobbying

Councillors Bellamy, Patrick and Andrew Pinnock advised that they had been lobbied in relation to Application 2019/93658.

Councillor Andrew Pinnock advised that he had been lobbied in relation to Application 2019/93303.

4 Admission of the Public

All items on the agenda were taken in public session.

5 Deputations/Petitions

No deputations were received.

A petition had been submitted in respect of Application 2020/92546 and had been included within the Planning Update.

6 Planning Applications

7 Planning Application - No. 2019/93658

The Committee considered Planning Application 2019/93658 relating to the erection of 122 dwellings, landscaping and associated infrastructure on land at Whitechapel Road, Cleckheaton.

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Under the provisions of Council Procedure Rule 37, the Committee received representations from Val Dickinson (in objection); Mark Jones and Paul Butler (in support).

Under the provisions of Council Procedure Rule 36 (3) the Committee received a representation from Councillor Martyn Bolt.

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 Planning Update, as set out below:

1. Three years to commence development.
2. Development to be carried out in accordance with the approved plans and specifications.
3. Approval of building and external materials.
4. Full details of hard and soft landscaping including a detailed planting schedule. Proposals should accord with the principles set out in the Ecus Ltd Tree Mitigation Strategy.
5. Full details of boundary treatments within and around the site (including the protection and enhancement of the existing stone wall feature at Whitechapel Road).
6. Measures to prevent and deter crime and anti-social behaviour.
7. Submission of details as to the provision, agreement, implementation and retention of appropriate Public Right of Way (PRoW) provision and treatment.
8. Submission of details of the proposed PRoW, including cross and long sections, constructional and details for public access.
9. Submission of details regarding the path on site north of the Priory Public House, how it meets and works with the estate road layout.
10. Submission of details as to the provision, agreement, implementation and retention of scheme regarding safety of public footpath and users during and after construction.
11. Submission and implementation of a Landscape and Ecological Management Plan (LEMP)
12. Submission of details securing biodiversity enhancement and net gain.
13. Construction Ecological Management Plan (CEMP)
14. Development to be carried out in accordance with the submitted arboricultural method statement.
15. Full details of works within 15 metres of the Highway England boundary, including geotechnical and/or structural submissions of works that impose additional load or influence on the existing banking, gantry or boundary treatment.
16. Construction details of retaining features adjacent to the highway.
17. Construction details of surface water attenuation features within the highway footprint.
18. Submission of further acoustic barrier details as outlined in SLR report.
19. Implementation of the agreed noise mitigation measures detailed in SLR report.
20. Submission of details showing ventilation of habitable rooms if windows need to be kept closed.

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21. Accordance with the M62 Separation Distance Buffer Zone, this is to be retained thereafter and no dwelling of any kind is to be sited within the 12.25m air quality buffer zone.
22. Reporting of Unexpected Contamination.
23. Verification Report for any imported topsoil.
24. Details of the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles.
25. Submission of a construction management plan/s to mitigate the impact of construction on highway safety and amenity, with due regard to potential impacts on the M62 J26 and consultation with key neighbour representatives.
26. Submission of internal road details (full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audits)
27. Measures to manage parking to manage parking on Whitechapel Road to either side of the proposed access and all associated works, together with appropriate road safety audits.
28. Submission of a residential full travel plan.
29. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
30. Measures to protect the public sewerage infrastructure within the site boundary shall be provided and agreed before implementation
31. Provision of site entrance and visibility splays prior to works commencing.
32. Provision of temporary waste storage and collection during construction.
33. Submission of details showing offsite drainage works.
34. Submission of detailed design and details of the drainage works. Finalised plans for site drainage must not connect into or impact on Strategic Road Network drainage systems.
35. Submission of fully worked up drainage design with long sections.
36. Submission of details to manage any volumes up to 1 in 100 year plus climate change specifically the flooding noted in microdrainage calculations at the head of systems.
37. Submission of details requiring drainage management and maintenance agreement.
38. Submission of temporary drainage works information and management and maintenance during construction phase.
39. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
40. Submission of measures to protect the public sewerage infrastructure that is laid within the site boundary and subsequent implementation of such measures.

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

1. Affordable housing – 24 affordable housing units (tenure split to be 20 units would be discount for sale and 4 units would be for social or affordable rent) to be provided in perpetuity.
2. Open space – Off-site contribution of £71, 397 to address shortfalls in specific open space typologies.
3. Education – Off-site contribution of £470,709, based on 122 dwellings to be spent on upon priority admission area schools within the geographical vicinity of

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this site to be determined. Payments would be made in instalments and on a pre-occupation basis, per phase. Instalment schedule to be agreed.

4. Junction monitoring – Off-site contribution of £10,500 for 5no. Bluetooth journey time detectors at the Whitechapel Road / A638 Bradford Road / Hunsworth Lane Traffic Signal-Controlled Junction.
5. Core walking and cycle network improvements – Off-site contribution of £20,000 towards the improvement of a link between the site and the Spen Valley Greenway.
6. Bus stop improvements - £23,000 towards the provision of a bus shelter and real time information to bus stops on Whitechapel Road.
7. Sustainable transport – Measures to encourage the use of sustainable modes of transport, including implementation of a Travel Plan and £10,000 towards Travel Plan monitoring and a sustainable travel fund of £62,403.
8. Off-site Biodiversity Net Gain requirements – Contribution (amount to be confirmed) towards off-site measures to achieve biodiversity net gain.
9. Multi-modal link route to be delivered between the proposed estate road and the boundary of the application site, adjacent to plots 83-87.
10. 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).

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 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 Bellamy, Hall, Patrick, Pattison, Sokhal and Walker (6 votes)

Against: Councillor Andrew Pinnock (1 vote)

8 **Planning Application - No.2020/92546**

The Committee considered an Outline Application 2020/92546 (with details of points of access only) relating to the development of up to 770 residential dwellings (Use Class C3), including up to 70 care apartments (Use Classes C2/C3) with doctors' surgery of up to 350 sq m (Use Class D1); up to 500 sq m of Use Class A1/A2/A3/A4/A5/D1 floorspace (dual use), vehicular and pedestrian access points off Blackmoorfoot Road and Felks Stile Road and associated works - Land off Blackmoorfoot Road and Felks Street, Crosland Moor, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Heather Peacock (in objection) and Dominic Page (in support).

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RESOLVED -

That consideration of the application be deferred for further information to be provided in respect of:

- Highways; the impacts of the development and cumulative growth upon the junctions of Blackmoorfoot Road/Manchester Road and the surrounding area.
- Education; the impacts of the development upon the schools in the catchment area,

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

For: Councillors Bellamy, Hall, Sokhal and Walker (4 votes)

Against: Councillors Andrew Pinnock and Pattison (2 votes)

9 Planning Application - No. 2020/90725

The Committee considered Planning Application 2020/90725 relating to the erection of 68 dwellings with associated access, parking and open space (revised plans) on land at Penistone Road, Fenay Bridge, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Chris Reilly and John Headey (in objection); Chris Creighton (in support).

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

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 Planning Update, as set out below, subject to the amendment of Condition 19 to require the properties adjacent to the frontage of Penistone Road to be constructed in natural stone;

1. Three years to commence development.
2. Development to be carried out in accordance with the approved plans.
3. Submission of a Construction Environment Management Plan.
4. Provision of visibility splays.
5. Final details of the junction of the new estate road.
6. A detailed scheme for the provision of a right turn lane.
7. Travel Plan
8. Submission of details relating to internal adoptable roads.
9. Method for collection and storage of waste.
10. Details of new retaining walls/structures adjacent to the adoptable highway.
11. Provision of Electric Vehicle charging points (one charging point per dwelling with dedicated parking).
12. Provision of waste storage and collection.
13. Tree Protection measures

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14. Development in accordance with FRA mitigation measures;
15. Site to be developed by separate systems of drainage for foul and surface water on and off site.
16. No piped discharge of surface water from the development prior to the completion of surface water drainage works.
17. Unexpected contamination.
18. Details of crime prevention measures in accordance with guidance from WY Police.
19. External materials (including samples).
20. Window details
21. Boundary treatments.
22. External lighting.
23. Full Landscaping scheme, including street trees.
24. Biodiversity enhancement, net gain and Ecological Design Strategy.
25. Details of bio-diversity area.
26. Removal of permitted development rights.
27. Archaeology.
28. Details of all retaining walls (including structural details and appearance).
29. Finished site levels (including existing and proposed cross-sections).
30. Details of an acoustic barrier.
31. Implementation of noise mitigation measures.
32. Submission of a ventilation scheme for habitable rooms.
33. Details of noise from fixed plant and equipment.

secure a Section 106 agreement to cover the following matters:

1. Affordable housing – 20% provision with a tenure split of 55% social or affordable rent to 45% intermediate housing;
2. Open space - Off-site contribution of £32,244 to address shortfalls in specific open space typologies;
3. Education – A contribution of £135,308 to be spent upon priority admission area schools within the geographical vicinity of this site to be determined prior to the commencement of development;
4. £10,000 to install Real Time information to the 16775 bus stop on Penistone Road;
5. A contribution of £37,851.00 towards a sustainable travel fund;
6. Arrangements to secure the long-term maintenance and management of public open space and the applicant's surface water drainage proposals.

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 be authorised to determine the application and impose appropriate reasons for refusal under delegated powers.

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

For: Councillors Hall, Patrick, Pattison and Sokhal (4 votes)

Against: (0 votes)

Abstain: Councillors Bellamy, Andrew Pinnock and Walker (3)

10 **Planning Application - No. 2019/93303**

The Committee considered Planning Application 2019/93303 relating to the erection of 267 dwellings with associated works and access from Hunsworth Lane and Kilroy Drive - Merchants Field Farm, Hunsworth Lane, Cleckheaton.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Mr Rankin (in objection); Andrew Windress and Rob Weston (in support).

Under the provisions of Council Procedure Rule 36 (3) the Committee received a representation from Councillor Kath Pinnock.

RESOLVED -

That the application be refused for the following reason: the proposed layout and poor housing mix, including the harm caused by the proposed translocation of the existing important hedgerow, would be contrary to Policies LP11 and LP24 of the Local Plan.

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

For: Councillors Bellamy, Hall, Patrick and Andrew Pinnock (4 votes)

Against: Councillors Pattison, Sokhal and Walker (3 votes)

11 **Planning Application - No. 2021/90376**

The Committee considered Planning Application 2021/90376 relating to the erection of external lighting at Spenborough Pool and Sports Complex, Bradford Road, Littleton, Liversedge

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. Development to commence within 3 years
2. Development built in accordance with approved plan
3. The maintained average horizontal illuminance of the areas being lit shall not exceed 20 lux
4. The vertical illuminance caused by the operation of the lighting at windows of nearby properties shall not exceed 1.0lux.

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5. The lighting shall not be operated between dawn and dusk and also no longer than 30 minutes before and 30 minutes after the premises are open for customers

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

For: Councillors Bellamy, Hall, Patrick, Pattison, Andrew Pinnock, Sokhal and Walker (7 votes)

Against: (0 votes)

12 **Planning Application - No. 2020/93237**

The Committee considered Planning Application 2020/93237 relating to the erection of a detached outbuilding and formation of a raised patio at 61 Celandine Avenue, Salendine Nook, 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. Development to be carried out in accordance with the plans and specifications
2. Facing and surfacing materials for the patio
3. No window or other openings to be formed in the north-eastern side elevation.
4. The building shall not be let, sold or separated from the main dwelling of 61 Celandine Avenue.

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

For: Councillors Bellamy, Hall, Patrick, Pattison, Andrew Pinnock, Sokhal and Walker (7 votes)

Against: 0 votes

13 **Planning Application - No. 2020/93810**

Construction of overspill car park and regrading of land (engineering operation) - The Eden Centre, 35 Dryclough Road, Crosland Moor, Huddersfield

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

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. Development to be in full accordance with plans and specifications.

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2. Parking spaces to be surfaced in accordance with the approved details before being brought into use
3. Any unexpected contamination to be reported
4. No removal of trees, shrubs or scrub Mar-Aug without checks by an ecologist
5. Landscape and ecological management plan to be submitted
6. One electric vehicle charge point to be installed before development is brought into use.

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

For: Councillors Bellamy, Hall, Patrick, Pattison, Andrew Pinnock, Sokhal and Walker (7 votes)

Against: (0 votes)

14 Pre Application Enquiry - 2020/20411

Pre-Application in relation to a residential development of circa 270 dwellings at Bradley Villa Farm (part of the HS11 allocated site), Bradford Road, Huddersfield.

RESOLVED –

That consideration be deferred to a future meeting of the Committee.