

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 18th November 2021

Present: Councillor Steve Hall (Chair)
Councillor Donna Bellamy
Councillor Charles Greaves
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Mohan Sokhal
Councillor Mark Thompson

1 Membership of the Committee

All Members of the Committee were in attendance.

2 Minutes of the Previous Meeting

The minutes of the meeting of the Committee held on 21st October 2021 were agreed as a correct record.

3 Declaration of Interests and Lobbying

Councillor Thompson advised that Application 2021/90357 was in his ward and he had had prior involvement with the proposals for the site.

Councillor Pattison advised, in respect of Application 2021/92478, that she was a member of Kirklees Schools Services.

4 Admission of the Public

All items on the agenda were taken in public session.

5 Public Question Time

No questions were asked.

6 Site Visit - Application No. 2021/90357

Site visit undertaken.

7 Deputations/Petitions

No deputations or petitions were received.

8 Planning Application - Application No: 2021/92528

The Committee considered Application No. 2021/92528 relating to the erection of retail development, associated parking, servicing areas and landscaping at land off Bankwood Way, Birstall Retail Park, Birstall.

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RESOLVED –

That consideration of the application be deferred to enable officers to undertake further assessment of the retail impacts of the proposed development.

A recorded vote was taken, in accordance with Council Procedure Rule 42(5) as follows:

For: Councillors Bellamy, Greaves, Hall, Pattison, Pinnock, Sokhal and Thompson (7 votes)

9 **Planning Application - Application No: 2018/92647**

The Committee considered Application No 2018/92647, a hybrid planning application for mixed use development - retail/office and 239 residential units (Use Classes C3/A1/A3/B1a). Full Planning permission for the partial demolition of the former Kirklees College, erection of a food retail store with residential above and erection of two mixed use (retail/residential) buildings, alterations to convert grade ii* listed building to offices and creation of vehicular access from Portland Street, New North Road and Trinity Street. Outline application for erection of four buildings mixed use (residential/office) (Listed Building within a Conservation Area) at the former Kirklees College, New North Road, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Richard Irving and Paul Fox (in support).

RESOLVED -

That consideration of the application be deferred, until no later than the meeting of the Committee scheduled for 24th March 2022, to allow officers to negotiate further with the applicants in respect of:

- (i) securing works to the Grade II* listed buildings to make them weatherproof and watertight, in order to ensure that they are preserved, at an early stage of development.
- (ii) achieving certainty in respect of the restoration and conversion of the listed buildings in the future.

A recorded vote was taken, in accordance with Council Procedure Rule 42(5) as follows:

For: Councillors Bellamy, Greaves, Hall, Pattison, Pinnock, Sokhal and Thompson (7 votes)

10 **Planning Application - Application No: 2019/94165**

The Committee considered Application No. 2019/94165 relating to the demolition of existing mills and associated structures, erection of five commercial units, and associated yard works at Butt End Mills, Chadwick Lane, Lower Hopton, Mirfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Andrew Keeling (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 report and the update, as set out below:

1. Time limit (3 years)
2. Development in accordance with the approved plans
3. Development in accordance with the approved Flood Risk Assessment, including minimum finished floor levels
4. Full suite of contaminated land conditions (Phase 2 report, remediation and validation)
5. Detailed drainage design including surface water attenuation and petrol interceptor for the car park
6. Temporary drainage measures for construction phase
7. Scheme for provision of electric vehicle recharging points
8. Biodiversity Enhancement Management Plan (BEMP)
9. Construction Environmental Management Plan for biodiversity (CEMP)
10. Detailed planting schedule
11. Boundary treatment details (hard landscaping) including details of the bin store enclosure
12. Noise mitigation measures as proposed within the application
13. Restriction on the hours of use as detailed within this report
14. Scheme for external lighting (for biodiversity and amenity)
15. Surfacing of the parking and turning areas
16. Construction Management Plan for highways and residential amenity
17. Provision of the riverside path before the development is brought into use
18. Provision and retention of the proposed mezzanine floors
19. An emergency access egress plan for pedestrians

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

- (i) Off-site contribution towards biodiversity enhancement to secure a net gain of 10% (£74,543)
- (ii) Contribution towards flood recovery scheme (£10,000)
- (iii) Formation of the proposed riverside path and the dedication of this land to secure public 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 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, Greaves, Hall, Pattison, Pinnock, Sokhal and Thompson (7 votes)

11 Planning Application - Application No: 2021/93368

The Committee considered Application No. 2021/93368 relating to the re-development of the market with addition of mezzanine floor at Dewsbury Market, Cloth Hall Street, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Committee received representations from David Staniland, Keith Ramsay and Simon Taylor (in support).

RESOLVED –

That approval of the application be granted subject to Regulation 3 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 report and the update, as set out below:

1. Time limit (3 years)
2. Development in accordance with the approved plans
3. Detailed landscaping scheme - including for the pocket park, proposed tree planting and plant beds, bollards, street furniture, boundary walls, waste enclosure gates and samples of surface materials including decorative inlays
4. Details of the terracotta rainscreen cladding
5. Details of the colours of external finishes to market hall and stalls
6. Detailed drainage design
7. Development in accordance with the Arboricultural Impact Assessment
8. Detailed scheme for ecological enhancement measures (Biodiversity Enhancement Management Plan)
9. Construction Management Plan/s for residential amenity and highway safety
10. Details of the closure and amendments to existing parking bays on Foundry Street and Whitehall Way including TROs
11. Highway structures condition relating to Dewsbury Beck culvert
12. Full suite of contaminated land conditions (including Phase 1 contaminated land report and further intrusive investigations, remediation and validation as may be necessary)
13. Restriction on hours of use to those proposed within the application
14. Restriction on entertainment noise
15. Restriction on noise from fixed plant and equipment
16. Kitchen extraction/ventilation scheme
17. Pollution prevention for drainage from food premises
18. Artificial lighting scheme to address comments from KC Environmental Services and WY Police DOCO
19. Revised CCTV scheme
20. Secure cycle and motorcycle parking
21. Scheme for hostile vehicle mitigation measures
22. Scheme of measures to prevent unauthorised access to the site when the Market is closed
23. Scheme for the replacement of the disabled parking and taxi bays affected by the proposals.

A recorded vote was taken, in accordance with Council Procedure Rule 42(5) as follows:

For: Councillors Bellamy, Greaves, Hall, Pattison, Pinnock, Sokhal and Thompson (7 votes)

12 Planning Application - Application No: 2021/90357

The Committee considered Application No. 2021/90357 relating to works to existing sports facilities including erection of a clubhouse, additional changing facilities building, boundary treatments, storage facilities and floodlighting, works to existing pitches, and creation of new hybrid and five-a-side pitches and car park at East Bierley Playing Fields, Hunsworth Lane, East Bierley.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Andrew Walker, Simon Armitage and David Storrie (in support).

Under the provisions of Council Procedure Rule 36(1), the Committee received representations from Councillor Elizabeth Smaje.

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 report, 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. Submission of a Construction (Environmental) Management Plan.
4. Submission of details of temporary drainage measures.
5. Provision of site entrance and visibility splays prior to works commencing.
6. Grampian condition requiring completion of track upgrade works (either as per application ref: 2019/93616 or an alternative approved scheme) prior to development being brought into use.
7. Submission of details of track upgrade works for the remaining 30m stretch, and implementation.
8. Cycle parking provision to be provided within the site.
9. Provision of Electric Vehicle charging points.
10. Submission, implementation and monitoring of travel plan.
11. Provision of waste storage and collection.
12. Coalmining legacy – submission of findings of intrusive investigation and remediation works.
13. Coalmining legacy – submission of a validation confirmation.
14. Submission of Remediation Strategy.
15. Implementation of Remediation Strategy.
16. Submission of Validation Report.
17. Details and validation of Japanese Knotweed eradication.
18. Submission of details of floodlighting (including measures to limit ecological and amenity impacts, and relating to low energy use).
19. Control of entertainment noise.
20. Hours of use of clubhouse.
21. Hours of use of pitches.
22. Submission of details of artificial and hybrid pitches.
23. Submission of details of ground conditions that may adversely affect use of pitches, and measures to address these constraints.
24. Submission of full drainage strategy.

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25. Submission of details of management and maintenance of surface water drainage infrastructure.
26. Submission of details of crime prevention measures.
27. Submission of details of external materials.
28. Painting of goal storage containers to match fencing.
29. Submission of details of boundary treatments (including details of gabion walls).
30. Submission of full landscaping details.
31. Submission of details of biodiversity enhancement and net gain.
32. Submission and implementation of an Ecological Design Strategy

A recorded vote was taken, in accordance with Council Procedure Rule 42(5) as follows:

For: Councillors Bellamy, Greaves, Hall, Pattison, Pinnock, Sokhal and Thompson (7 votes)

13 **Planning Application - Application No: 2021/91758**

The Committee considered Application No. 2021/91758 relating to the formation of a six-space car park at Trabel House, 26-28 Cambridge Road, 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 report, as set out below:

1. Development shall be begun within three years of the date of the permission.
2. Development to be in complete accordance with plans and specifications.
3. No development until submission of a scheme of intrusive investigations to establish the risks posed to the development by past coal mining activity, and remediation works are implemented to address land instability.
4. Submission of a signed statement confirming the site is safe and stable for the approved development prior to the first use of the site.
5. The car park is to be surfaced and drained in accordance with the drainage strategy plan provided.
6. The provision of 1 electric vehicle charging space.
7. Work to stop and surveys to be submitted if unsuspected contamination encountered,

together with an additional condition in respect of the submission of a landscaping scheme.

A recorded vote was taken, in accordance with Council Procedure Rule 42(5) as follows:

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

Abstain: Councillors Bellamy, Greaves and Thompson

14 **Planning Application - Application No: 2021/92478**

The Committee considered Application No. 2021/92478 relating to the erection of perimeter fencing at Royds Hall Community School, Luck Lane, Paddock.

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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 report, as set out below:

1. Three years to commence development.
2. Approved plans and documents.
3. External materials.
4. The removal of the fence (and land to be restored) should it no longer be needed.
5. Construction in accordance with the Method Statement for tree protection.
6. Dealing with unexpected contamination.

A recorded vote was taken, in accordance with Council Procedure Rule 42(5) as follows:

For: Councillors Bellamy, Greaves, Hall, Pattison, Pinnock, Sokhal and Thompson
(7 votes)