

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 3rd August 2023

Present: Councillor Steve Hall (Chair)
Councillor Moses Crook
Councillor Carole Pattison
Councillor Mohan Sokhal
Councillor Bill Armer
Councillor Andrew Pinnock

Apologies: Councillor Mark Thompson

1 Membership of the Committee

Apologies for absence were received from Cllr Thompson.

2 Minutes of the Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 6 July 2023 be approved as a correct record.

3 Declaration of Interests and Lobbying

There were no declarations or lobbying or interests.

4 Admission of the Public

It was noted that all agenda items would be considered in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked.

7 Site Visit - Application 2023/91092

Site visit undertaken.

8 Planning Applications

9 Planning Application - Application No: 2023/91092

The Committee gave consideration to Application 2023/91092 – Demolition of existing school, improvements to existing access and formation of internal access road and turning head, formation of car park, children's outdoor play areas and associated landscaping at St Peters CE VA Junior and Infant and Early Years School, Field Head Lane, Birstall.

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Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Nick Willock (applicant's agent).

RESOLVED – That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- Three years to commence development
- Development to be carried out in accordance with the approved plans and specifications
- Solar panels to be provided as proposed
- Phasing strategy to be provided
- Construction Management Plan to be provided
- Condition for materials to be provided
- Boundary stone wall to be re-built, with access improvements
- Works to be done in accordance with Arb reports
- Landscaping strategy to be submitted and implement in first season after occupation
- Landscaping management and maintenance to be provided
- Fencing / boundaries to be done in accordance with plans
- Odour mitigation plan
- Review of noise mitigation measures after 12 months
- 3.5m high weldmesh ballstop Design Guidance Note from Sport England Artificial Grass Pitch (AGP) Acoustics
- Roof plant noise limit
- HW survey of local road network and parent parking habits. If necessary, mitigation to be implemented
- Development to operate in accordance with travel plan
- Details of minimum secure 18 cycle parking spaces to be provided
- Drainage system to be installed in accordance with approved details
- Temporary surface water to be managed in accordance with submitted details
- Kitchen discharge to go via fat / grease trap
- Lighting strategy to be provided (ecology, amenity, and security)
- Site clearance outside of bird breeding
- EclA enhancement measures to be implemented
- 10% net gain to be delivered on site
- Contaminated land investigations
- Minimum two EVCP to be provided at required spec

(The Committee resolved that a condition to apply a maximum of staff and students shall not apply).

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

For: Councillors Armer, Crook, S Hall, Pattison and Sokhal (5 votes)

Against: Councillor A Pinnock (1 vote)

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10 **Planning Application - Application No: 2023/90509**

The Committee gave consideration to Application 2023/90509 – Erection of 2 storey, 5 classroom teaching block including toilet facilities and staff/store rooms at North Huddersfield Trust School, Woodhouse Hall Road, Fartown, Huddersfield.

RESOLVED –

1) That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- Time Limit (three years)
- Development in accordance with approved plans
- Contaminated land investigation conditions
- Noise Assessment
- Construction Environmental Management Plan
- Travel Plan
- Scheme of mitigation works at Woodhouse Hill Junction
- Submission of an Arboricultural Method Statement prior to works commencing on site
- Submission of a detailed planting scheme/proposal for the new planting shown to the south
- Full, detailed sections of the proposed green roof should be submitted prior to its installation, this should also include loading information, species to be planted and details of its maintenance

2) That authority be delegated to the Head of Planning and Development to secure a S106 Agreement to cover off site highway works for junction improvements to Woodhouse Hill Junction – contribution of £50,000.

3) That, pursuant to (2) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Planning and Development 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 Armer, Crook, S Hall, Pattison, A Pinnock and Sokhal (6 votes)

Against: (no votes)

11 **Planning Application - Application No: 2023/91093**

The Committee gave consideration to Application 2023/91093 – Construction of permanent vehicular access track and the erection of fencing (within a site of special scientific interest) at land adjacent to March Haigh Reservoir, off Blake Lea Lane, Marsden.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Nick Wild (on behalf of the applicant).

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RESOLVED –

- 1) That authority be delegated to the Head of Planning and Development to approve the application, subject to the response of the Secretary of State under Regulation 64(5) of the Conservation and Habitats and Species Regulations 2017 and, if no objection is received, to issue the decision notice and complete the list of conditions including matters relating to;
 - Time limit to commence development (3 years)
 - Development to be carried out in accordance with the approved plans and specifications
 - Prior to their use, details of the stone to be used for the access track shall be submitted to and approved in writing by the LPA
 - Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the LPA. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site
 - Prior to the commencement of the development (including ground works), a survey (including photographic evidence) of the existing condition of the highway on Blake Lea Lane (the extent of highway to be surveyed to be agreed in writing by the Local Planning Authority in advance) and the Public Footpath COL/195/10 (from Blake Lea Lane to the proposed access track) shall be carried out jointly with the Local Highway Authority and submitted to and approved in writing by the Local Planning Authority. The survey shall include carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signing and white lining. The submission made pursuant to this condition shall also include a timetable of works and a commitment (with responsibilities assigned to named parties) to undertake remedial works (the details of which shall be submitted to and approved in writing by the Local Planning Authority) to maintain the highway during the entirety of the construction phase to the condition documented in the pre-commencement highway condition survey. The final highway remediation works so approved shall be completed within one month of completion of construction phase.
 - Prior to the installation of the track at point C, details of the existing definitive public footpath Col/195/40 to be retained on site where crossed by the proposed access track, as detailed on the approved site layout plan, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include: (a) A large scale plan showing the location, design and landscape of this section of the definitive public footpath (b) Existing and proposed full cross and long sections, including gradients (c) Construction specifications, signing and surfacing materials (d) An independent Safety Audit covering all aspects of the work (e) Pedestrian safety measures in respect of where the public footpath crosses the proposed track and (f) A timescale for its implementation. The

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definitive public footpath shall then be provided in accordance with the approved timescale and thereafter retained.

- Prior to the installation of the track at point C, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority for the protection of the public safety of Col/195/40 (Colne Valley public footpath 195) in relation to all aspects of construction works within and including areas to or from the site. Unless otherwise agreed in writing, the approved scheme shall be implemented throughout the construction period of the development
- The development shall be carried out in complete accordance with the Written Scheme of Investigation dated June 2023, unless otherwise agreed in writing with the Local Planning Authority
- The gates to restrict unauthorised access shall be installed before the track is first brought into use and kept locked at all times, other than when the track is in use. The gates shall thereafter be retained for the lifetime of the development
- The development shall not be carried out other than in strict accordance with the Construction Environmental Management Plan (CEMP). All relevant measures detailed in the CEMP (dated June 2023), including (but not limited to) monitoring of breeding bird location and activity by a suitably qualified ECoW; ECoW toolbox talk; maintenance of a stripped vegetation corridor along the construction route; and temporary visual screening should be strictly adhered to at the site
- The development shall not be carried out other than in strict accordance with the Operation and Maintenance (O&M) Manual
- Prior to the commencement of development, a Biodiversity Mitigation and Management Plan shall be submitted and approved by the LPA. The plan shall detail all mitigation measures required to avoid adverse effects on site integrity, as fully detailed within the HRA. Additional mitigation measures for construction/operational impacts on the SSSI should be included within the BMMP, including (a) Creation of acid grassland along track edges (within the designated site); and (b) Inclusion of suitable seed mix for twice in acid grassland creation areas
- A restoration scheme to be submitted and agreed in writing with the LPA in the event that any part of the track is removed/no longer required
- Before the development commences, a full structural dilapidation survey of the existing highway retaining walls along Blake Lea Lane shall be undertaken by a suitably qualified and experienced structural engineer and a copy of the report submitted to the Highway Structures team for record purposes. A further structural dilapidation survey of the retaining walls shall also be required following the completion of the works and any defects arising in the highway retaining walls due to heavy traffic associated with the proposed development shall be made good to the satisfaction of the Council's' structures team, within one month of completion of the construction phase
- Prior to replacement, full details of any further culverts shall be submitted to and approved in writing by the Local Planning Authority

2) That authority be delegated to the Head of Planning and Development to secure a S106 Agreement to cover ecological compensatory measures to provide a

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financial contribution to compensate for the ecological impacts of the development likely to be relayed to the National Trust in order to diversify at least 3.5ha of purple moor grass dominated vegetation at the plateau areas around Round Hill, east of Ellen Clough and north of Deer Hill Conduit, within Holme Moor.

3) That, pursuant to (2) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Planning and Development 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 Armer, Crook, S Hall, Pattison, A Pinnock and Sokhal (6 votes)

Against: (no votes)