

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 25th January 2024

Present: Councillor Eric Firth (Chair)
Councillor Moses Crook
Councillor Carole Pattison
Councillor Mohan Sokhal
Councillor Andrew Pinnock

Apologies: Councillor Mark Thompson

1 Appointment of Chair

Councillor E Firth was appointed to Chair this meeting of the Committee, in the absence of Councillor S Hall.

2 Membership of the Committee

Councillor E Firth substituted for Councillor S Hall.

Apologies for absence were received from Councillor Thompson.

3 Minutes of the Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 7 December 2023 be approved as a correct record.

4 Declaration of Interests and Lobbying

No interests were declared.

5 Admission of the Public

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

6 Public Question Time

No questions were asked.

7 Deputations/Petitions

No deputations or petitions were received.

8 Site Visit - Application for a Definitive Map Modification Order (DMMO) to record a Public Right of Way at Carr Mount, Kirkheaton on the Definitive Map and Statement

Site visit undertaken.

9 Site Visit - Application No: 2023/92255

Site visit undertaken.

10 Site Visit - Application for a Definitive Map Modification Order (DMMO) to record Mean Lane, Meltham, as a Public Bridleway on the Definitive Map and Statement

Site visit undertaken.

11 Application for a Definitive Map Modification Order (DMMO) to record Mean Lane, Meltham, as a Public Bridleway on the Definitive Map and Statement

The Committee gave consideration to an Application for a Definitive Map Modification Order (DMMO) to record Mean Lane, Meltham, as a public bridleway on the Definitive Map and Statement.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Mr and Mrs Jarvis (local residents) and Mark Corrigan (on behalf of the British Horse Society).

RESOLVED – That Officers be authorised to make a Definitive Map Modification Order under section 53(3)(C) (ii) of the Wildlife and Countryside Act 1981 to upgrade Meltham 24 and 59 Mean Lane, Meltham, from Public Footpath to Public Bridleway status, with variable width between 3 metres and 10 metres from point A to point B on the indicative map (figure 1) and to authorise confirmation of an unopposed order and, if opposed, support confirmation.

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

For: Councillors Crook, Pattison and Sokhal (3 votes)

Against: Councillor A Pinnock (1 vote)

Abstained: Councillor E Firth

12 Application for a Definitive Map Modification Order (DMMO) to record a Public Right of Way at Carr Mount, Kirkheaton on the Definitive Map and Statement

The Committee gave consideration to an Application for a Definitive Map Modification Order (DMMO) to record a Public Right of Way at Carr Mount, Kirkheaton, on the Definitive Map and Statement.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Michael Hine, Michelle Thompson and John Dunwell (local residents) and Mark Corrigan (on behalf of the British Horse Society).

RESOLVED –

- 1) That a Definitive Map Modification Order be made under Section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 in relation to the Definitive Map Modification Order Application S14201 to record a public footpath commencing at its junction with Liley Lane/Bellstring Lane public carriageway B6118 through Carr Mount to its junction with public footpath Kirkburton 20 Part A (point A to point B on the indicative map (figure 1) on the Definitive Map and Statement.
- 2) That, pursuant to (1) above, should the Order be opposed and the matter be referred to the Planning Inspectorate for determination by either written representations, public hearing, or public inquiry, the Council shall support the confirmation of the Order.

Strategic Planning Committee - 25 January 2024

- 3) That no Order be made in relation to the Definitive Map Modification Order Application S14306 to record a public bridleway commencing at its junction with Liley Lane/Bellstring Lane public carriageway B6118 through Carr Mount to its junction with public bridleway B6118 through Carr Mount to its junction with public bridleway Kirkburton 220 (Part B) at Long Tongue Scrog Lane.

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

For: Councillors Crook, E Firth, Pattison, A Pinnock and Sokhal (5 votes)

Against: (no votes)

13 **Planning Application - Application No: 2023/92255**

The Committee gave consideration to Application 2023/92255 – Section 73 application for variation of conditions 1 (plans), 2 (crime prevention) and 15 (restriction of permitted development) of previous reserved matters approval 2021/93286, pursuant to outline permission 2020/91215 for erection of 41 dwellings at Green Acres Close, Emley.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Ben Gibson (on behalf of the applicant).

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;

1. Development in accordance with the plans and specifications schedule
2. Crime prevention measures to be completed in accordance with plan reference Z115.113 rev B
3. Details of external lighting
4. Detailed design of ball-stop net and associated support columns
5. A management maintenance plan to include the routine inspection and maintenance, and long-term repair and replacement of columns, netting and such other associated apparatus
6. A scheme detailing foul, surface water and land drainage
7. A scheme, detailing temporary surface water drainage
8. Development in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement, reference, Wharcliffe Trees and Woodland Consultancy
9. Full details of hard and soft landscaping, including and management and maintenance programme
10. Details of all new retaining walls/ building retaining walls adjacent to the existing/ proposed adoptable highways
11. Details of any new surface water attenuation pipes/manhole located within the proposed highway footprint
12. Removal of PD rights for windows and doors within the northern facing side elevation of plot 8
13. A plan detailing the position and location of bat and bird boxes and hedgehog friendly fence panels

Strategic Planning Committee - 25 January 2024

14. A Construction Environmental Management Plan

15. Removal of permitted development rights for Class Classes A to E inclusive of Part 1 of Schedule 2 for plots 14 – 20, 33, 34 and 41 as outlined on the hereby approved site plan Z155.002 rev E

2) That authority be delegated to the Head of Planning and Development to secure a S106 Deed of Agreement, linking this approval to the previous Section 106 Agreement (dated 23/06/21) and Deed of Variation (dated 03/03/21).

3) That, 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 Crook, E Firth, Pattison, A Pinnock and Sokhal (5 votes)

Against: (no votes)