

KIRKLEES COUNCIL
LIST OF PLANNING APPLICATIONS DECIDED BY
STRATEGIC PLANNING COMMITTEE
6 OCTOBER 2016

APPLICATION NO.**DESCRIPTION, LOCATION OF PROPOSAL AND DECISION**

2016/90894

Juan Torres, Barnes Homes - Erection of 5 no. units -
Rawfolds Way, Cleckheaton

CONDITIONAL FULL PERMISSION

- (1) The development shall be begun not later than the expiration of three years beginning with the date on which permission is granted.
- (2) The development hereby permitted shall be carried out in complete accordance with the approved plans and specifications except as may be required by other conditions.
- (3) No development shall take place until sample facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials.
- (4) Prior to the commencement of building works associated with unit 17 all existing trees shown on the approved plan (90027 RWF 79) to be retained around the footprint of approved unit 17 adjacent to the boundary with Shirley Villas shall be protected for the lifetime of the construction phase by fencing in accordance with British Standard for Trees and construction BS5837:2012.
- (5) No development shall take place until a comprehensive scheme for landscaping treatment of the site prepared in accordance with the Local Planning Authority's Code of Practice Note 2 has been submitted to and approved in writing by the Local Planning Authority.
- (6) Any planting, seeding or tree management works forming part of the landscaping scheme referred to in Condition 4 shall be carried out during the first planting, seeding or management season following the commencement of development, or as otherwise may be agreed in writing by the Local Planning Authority, and shall be maintained for a period of five years from the completion of planting works. All specimens which die within this period shall be replaced.
- (7) Development shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) has been submitted to and approved in writing by the Local Planning Authority.
- (8) Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 6 development shall not commence until a Phase II Intrusive Site

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Investigation Report has been submitted to and approved in writing by the local planning authority.

(9) Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 7 development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the local planning authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

(10) Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 8. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the local planning authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

(11) Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the local planning authority.

(12) The development hereby approved shall be restricted to Class B1(b&c) of the Town and Country Planning (Use Classes) Order 1987 as amended and no other use, without the prior consent in writing of the Local Planning Authority

(13) Before each of the proposed B1 Light Industrial units are brought into use, a report specifying the measures to be taken to protect the occupants of nearby noise sensitive premises at 1,3 and 5 Shirley Villas, Cartwright Street, Cleckheaton BD19 5LT from noise from the proposed development shall be submitted to and approved in writing by the Local Planning Authority.

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The report shall include:

- An assessment of the noise emissions from the development;
- Details of the background and predicted noise levels at the southern boundary of the development with no 1, Shirley Villas, Cartwright Street, Cleckheaton BD19 5LT;
- A scheme of how the occupants of no's 1,3 and 5 Shirley Villas, Cartwright Street, Cleckheaton, BD19 5LT will be protected from noise from the proposed development with noise attenuation measure as appropriate

The development shall not be brought into use until all works comprised within the measures specified in the report have been carried out in full and such works shall thereafter be retained.

(14) The development permitted by this planning permission shall be carried out in accordance with the approved FRA for Spenborough Business Park (July 2016/10217-5003, rev no 01/ Met Engineers Ltd) and follow the mitigation measures detailed within the FRA.

- Finished floor levels are set no lower than 300mm above ground level;
- Overland flow routes are maintained through the site as indicated in the Surface Water Management Plan in Appendix 11 of the approved FRA.

The mitigation measures shall be fully implemented in accordance with the timing/ phasing arrangements embodied within the scheme, or within any other period a may be subsequently be agreed , in writing , by the local planning authority.

(15) Development shall not commence until a scheme restricting the rate of surface water discharge from the site to a maximum of 5 litres per second has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30 year storm event as a minimum requirement. Flows between the critical in 30 or critical 1 in 100 year storm events shall be stored on site in areas to be approved by the Local Planning Authority, unless it can be demonstrated to the satisfaction of the Local Planning Authority that discharge from the site does not cause an increased risk in flooding elsewhere. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restrictions and attenuation works have been completed. The

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approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

(16) Prior to the commencement of development the following details shall be submitted for the written approval of the Local Planning Authority:

- A remediation scheme to afford public safety and the stability of the proposed development from the risks posed by two recorded mine entries (shafts);
- A scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations;
- The submission of a scheme of remedial works for approval; and
- Implementation of those remedial works.

The agreed details shall be implemented prior to the occupation of any buildings on the site.

(17) Prior to any buildings being occupied details of the boundary treatments shall be submitted for the written consent of the Local Planning Authority. The approved fencing shall be implemented prior to the occupation of any buildings and thereafter retained.

(18) The development hereby permitted shall incorporate measures to minimise the risk of crime and meet the specific security needs of the development site. Details of the measures to be incorporated shall be submitted to and approved in writing by the Local Planning Authority, prior to development commencing, and shall be implemented before the development is first occupied and thereafter retained throughout the lifetime of the development.

(19) Before development commences, the proposed visibility splays shown on approved plan no RWF-01 rev C shall be cleared of all obstructions to visibility and tarmac surface to current standards in accordance with details that have previously been approved in writing by the Local Planning Authority.

(20) Within 3 months of any part of the development being brought into use a Travel Plan shall be implemented in accordance with the Framework included within the PAH Consultants Transport Assessments and there after retained throughout the lifetime of the development.

(21) Notwithstanding the submitted details, electric vehicle charging points shall be installed in at least 10% of the vehicle parking spaces. Details of the location and installation shall be submitted prior to development commencing, and the approved

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2016/90894 Cont'd	<p data-bbox="528 215 1353 286">details shall be implemented before the occupation of any business units, and thereafter retained.</p> <p data-bbox="528 327 1410 398">A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;</p> <p data-bbox="528 439 1378 510">FOR: Councillors Armer, D Firth, S Hall, Kane, Pattison and A Pinnock (6 Votes)</p> <p data-bbox="528 551 842 589">AGAINST: (No Votes)</p>
2016/92420	<p data-bbox="528 622 1437 734">Kirklees College - Erection of college building and associated infrastructure works - Former Safeway Store, Commercial Road, Dewsbury</p> <p data-bbox="528 768 1042 806">CONDITIONAL FULL PERMISSION</p> <p data-bbox="528 840 1430 952">(1) The development shall be begun not later than the expiration of three years beginning with the date on which permission is granted.</p> <p data-bbox="528 985 1433 1171">(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.</p> <p data-bbox="528 1205 1409 1391">(3) No part of the external walling/cladding of the new college building shall take place until samples of all facing and roofing materials has been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed of the approved materials.</p> <p data-bbox="528 1424 1445 2049">(4) Development shall not commence until a scheme restricting the rate of surface water discharge from the site to Batley Beck to a maximum of 70% (as advised by Strategic Drainage) of the existing pre-development flow rate to the same outfall, has been submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30 year storm event as a minimum requirement. Flows between the critical 1 in 30 or critical 1 in 100 year storm events shall be stored on site in areas to be approved in writing by the Local Planning Authority unless it can be demonstrated to the satisfaction of the Local Planning Authority that discharge from site does not cause an increased risk in flooding elsewhere. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction</p>

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and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

(5) Surface water from vehicle parking hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.

(6) A report specifying the measures to be taken to protect the occupants of nearby noise sensitive premises from noise from plant associated with the proposed development shall be submitted to and approved in writing by the Local Planning Authority before development of the superstructure of the college building commences. The report shall include:

(1) an assessment of noise emissions from the proposed development including proposed external plant and activities within the college buildings

(2) details of background and predicted noise levels at nearby noise sensitive properties

(3) a written scheme of how the occupants of noise sensitive premises will be protected from noise from the proposed development with noise attenuation measures as appropriate. The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such works shall be thereafter retained.

(7) Development shall not commence until a scheme restricting the rate of surface water discharge from the site to Batley Beck, including a survey of existing drainage arrangements on site, has been submitted to and approved in writing by Local Planning Authority.

- Where it is found that the site currently drains to Batley Beck discharge rates must be attenuated to a maximum of 70% of the existing pre-development flow.
- Where it is found that the site does not currently drain to Batley Beck and new connections are required, discharge rates must be attenuated to the greenfield rate of 5l/s/ha.

The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30 year storm event as a minimum requirement. Flows between the critical 1 in 30 or critical 1 in 100 year storm events shall be stored on site in areas to be approved in writing by the Local Planning Authority unless it can be demonstrated to the satisfaction of the Local Planning Authority that discharge from site does not cause an increased risk in flooding elsewhere.

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The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

(8) A landscaping scheme (which includes details of hard and soft landscaping and boundary treatments and which makes specific reference to the planting of native tree, shrub and plant species) shall be submitted to and approved in writing by the local Planning Authority before development of the superstructure of the building commences.

(9) On completion of the development the cycle storage facilities will be provided in accordance with the details shown on the approved plans, and the approved facilities shall thereafter be retained.

(10) Details of storage and access for collection of wastes from the premises shall be submitted to and approved in writing by the Local Planning Authority before the new college building is occupied. The approved details shall be provided before the development is brought into use and shall be retained thereafter.

(11) The development shall be carried out in accordance with the submitted Travel Plan (produced by Hy Consulting, ref: 16067/July 2016). The approved Travel Plan shall be operated at all times that the development is occupied and shall be reviewed and updated on an annual basis in accordance with the details that are outlined in the approved plan. The Travel Plan and all updates shall be produced in accordance with current national, regional and local best practice guidance and shall include details of operation, Travel Plan Coordinator/s, targets, infrastructure to be provided, measures that will be implemented, monitoring and review mechanisms, procedures for remedial action that may be required and a timetable for implementing the plan.

(12) A scheme detailing the location and cross sectional information together with the proposed design and construction for all the retaining walls and building walls supporting the adjacent existing highway including any proposed modifications to the existing private highway retaining walls on the A638 Halifax Road and Commercial Road shall be submitted to and approved in writing by the Local Planning Authority before development of the superstructure of the building commences. The approved scheme shall be implemented prior to the commencement of development of the building and thereafter retained.

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(13) Two electric vehicle charging points shall be provided before the college building is occupied, in accordance with the submitted details shown on the approved site plan, and shall thereafter be retained.

(14) All windows in the rendered section of building shall be inset to a minimum of 0.070m from the elevation. Where possible the inset shall seek to achieve 0.10m from the elevation.

(15) Prior to the development being brought in to use, a scheme detailing a) the provision of a pedestrian refuge on Bradford Road between the proposed pedestrian access to the development site and Dewsbury Ring Road and b), the removal of the existing right turn facility into the existing access into the development on Bradford Road shall be submitted to and approved in writing by the Local Planning Authority. The scheme so approved shall be implemented before the development is first brought into use and thereafter retained.

The submitted details shall include full sections, construction specifications, drainage works, lighting, signage, lining, surface finishes and transport regulation orders together with an independent safety audit covering all aspects of the works.

(16) A scheme detailing measures to manage parking on Commercial Road to allow drop off and pick up of students at the college and all associated works, together with appropriate Safety Audits shall be submitted to and approved in writing by the Local Planning Authority before development of the superstructure of the building commences. The scheme so approved shall be implemented before the development is first brought into use and thereafter retained.

(17) No part of the development shall be brought into use until the existing access from Bradford Road has been permanently closed [and any redundant footway crossings removed and the footway reinstated] and the new access has been constructed and brought into use in accordance with details that have previously been approved in writing by the Local Planning Authority.

NOTE: A competent person should undertake any noise survey and developers may wish to contact the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk/Pages/Links.htm> (01736 852958) or the Institute of Acoustics <http://www.ioa.org.uk> (01727 848195) for a list of members.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection,

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construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours Mondays to Fridays
08.00 and 13.00hours , Saturdays

With no working Sundays or Public Holidays
In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

NOTE: This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 for any proposed works or structures, in, under, over or within eight metres of the top of the bank of Batley Beck which is designated as a 'main river'. This was formerly called a flood defence consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available at <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

NOTE All contamination reports shall be prepared in accordance with CLR 11 and PPS23 and the Council's Advice for Development Documents or any subsequent revisions of these documents.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;

FOR: Councillors Armer, D Firth, S Hall, Kane, Pattison and A Pinnock (6 Votes)

AGAINST: (No Votes)

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2016/92066	<p data-bbox="528 215 1422 360">Kirklees Stadium Development Ltd & Hotel - Erection of hotel with associated external works including car parking, servicing and landscaping including realigning of access road - Stadium Way, Huddersfield</p> <p data-bbox="528 398 1422 470">CONDITIONAL FULL PERMISSION SUBJECT TO DELEGATION OF AUTHORITY TO OFFICERS TO:</p> <p data-bbox="528 472 1422 544">(A) REFER THE RESOLUTION TO GRANT CONDITIONAL FULL PERMISSION TO THE HEALTH & SAFETY EXECUTIVE</p> <p data-bbox="528 546 1422 656">(B) IMPOSE ALL NECESSARY AND APPROPRIATE CONDITIONS INCLUDING THOSE IN THE SUBMITTED REPORT AND THE UPDATE LIST;</p> <p data-bbox="528 658 1422 768">(C) SUBJECT TO THERE BEING NO SUBSTANTIVE CHANGES TO ALTER THE RECOMMENDATION, ISSUE THE DECISION NOTICE.</p> <p data-bbox="528 801 1422 873">A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;</p> <p data-bbox="528 911 1422 983">FOR: Councillors Armer, D Firth, S Hall, Kane, Pattison and A Pinnock (6 Votes)</p> <p data-bbox="528 1021 842 1059">AGAINST: (No Votes)</p>
2016/90146	<p data-bbox="528 1097 1422 1169">Mr J Wood - Outline application for erection of residential development - Land at, Lancaster Lane, Brockholes, Holmfirth</p> <p data-bbox="528 1207 1422 1317">INFORM THE PLANNING INSPECTORATE THAT THE LOCAL PLANNING AUTHORITY WOULD HAVE REFUSED THE APPLICATION FOR THE FOLLOWING REASON:</p> <p data-bbox="528 1355 1422 1758">(1) The site is allocated as Urban Greenspace on the Council's Unitary Development Plan (UDP) Proposals Map. The extent of development proposed would prejudice the site's value as open land whereby the potential exists for the ecology of the site to recover. In such circumstances the Urban Greenspace is not deemed to be surplus to requirements. The proposed development is therefore contrary to Policy D3 of the UDP and paragraph 74 of the National Planning Policy Framework. The loss of the value of the Urban Greenspace is considered to outweigh all other material considerations, including the delivery of new housing.</p> <p data-bbox="528 1796 1422 1868">A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;</p> <p data-bbox="528 1906 1422 1977">FOR: Councillors Armer, D Firth, S Hall, Pattison and A Pinnock (5 Votes)</p> <p data-bbox="528 2016 842 2054">AGAINST: (No Votes)</p>

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2016/90146 Cont'd	ABSTAINED: Councillor Kane