

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 1st December 2016

Present: Councillor Paul Kane (Chair)
Councillor Bill Armer
Councillor Donald Firth
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Cathy Scott

1 Membership of the Committee

Councillor Scott substituted for Councillor S Hall.

In the absence of Councillor S Hall, the Committee considered the matter of the Appointment of Chair and agreed that Councillor Kane be appointed as Chair for this meeting of the Committee.

2 Minutes of Previous Meetings

RESOLVED –

That the minutes of the meeting held on 14 July and 3 November be approved as a correct record subject to the amendment of Minute Number 3 to reflect that Councillor Armer is a current, and not former, member of Kirkburton Parish Council, and is a former Kirkheaton Parish Councillor.

3 Interests and Lobbying

Councillor Pattison declared an 'other' interest in Agenda Items 13 and 14 on the grounds that she is a Director of a company that owns 6 Cross Church Street, Huddersfield (Minute numbers 13 and 14 refer).

4 Admission of the Public

It was noted that all Agenda Items would be considered in public session.

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations or petitions were received.

7 Site Visit - Application 2014/92893

Site Visit Undertaken.

8 Site Visit - Application 2016/92321

Site Visit Undertaken.

9 Site Visit - Application 2016/92181

Site Visit Undertaken.

10 Site Visit - Application 2016/93411

Site Visit Undertaken.

11 Planning Application - Application No: 2014/92893

The Committee gave consideration to Application 2014/92893 – Erection of 34 dwellings and associated car parking at land off Croft Street, Birkenshaw.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Ian Stewart (on behalf of Birkenshaw Rugby Club), Susan Horrobin (on behalf of Birkenshaw Liberal Club), Amanda Mahoney (local resident) and Councillor Smaje.

RESOLVED –

1. That the Head of Development Management be delegated authority to approve the application subject to conditions including; standard conditions for the commencement of development and completion in accordance with approved plans, landscaping, landscaping maintenance, submission of materials, boundary treatments, removal of permitted development rights relating to plots 17 and 18, highways conditions relating to junction improvements at Old Lane/Croft Street, methods of storage and waste, parking provision secured and surfaced, internal adoptable road specifications and construction management plan, and drainage safety, environmental health, biodiversity enhancement, provision of electric charging points, the protection of existing retaining walls along the boundary with Allen Croft, and the securing of a Section 106 Agreement.

2. That pursuant to (1) above, circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Development Management shall be authorised to determine the application and consider whether it should be refused, and in such cases, 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 Kane, Pattison and Scott (3 votes).

Against: Councillors Armer, D Firth, and A Pinnock (3 votes).

(The application was determined upon the casting vote of the Chair)

12 Planning Application - Application No: 2016/93411

The Committee gave consideration to Application 2016/93411- Outline application for erection of a residential development at land to rear of 125 Helme Lane, Meltham, Holmfirth.

Under provisions of Council Procedure Rule 37, the Committee received a representation from David Storrie (applicant's agent).

RESOLVED –

That Conditional Outline Planning Permission be granted subject to the delegation of authority to the Head of Development Management to finalise conditions including;

- a) Standard conditions for the submission of Reserved Matters (excluding access).
- b) Standard conditions relating to the development being carried out in accordance with approved plans.
- c) The application for approval of any reserved matter being made to the Local Planning Authority before the expiration of three years from the date of this permission.
- d) The development hereby permitted shall begin either before the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- e) Provision of public open space.
- f) Provision of affordable housing.
- g) Provision of an education contribution.
- h) Highways conditions.
- i) Access to be constructed and made available prior to the first occupation of any dwelling.
- j) Drainage conditions.
- k) Bio diversity enhancement conditions.
- l) Submission of Phase 1 and 2 contaminated land surveys, remediation strategy, unexpected contamination, validation report.
- m) Provision of electric charging points.
- n) Construction management plan to be approved and implemented prior to commencement of development.

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

For: Councillors D Firth, Kane, Pattison, A Pinnock and Scott (5 votes). Against: (no votes).

Abstained: Councillor Armer.

13 Planning Application - Application No: 2016/92029

The Committee gave consideration to Application 2016/92029 – Erection of extension to existing at Kingsgate Shopping Centre to form new leisure development including new cinema and restaurants, and demolition of existing buildings on the site including 20-22 Cross Church Street (partly within a conservation area), comprising 20-22 Cross Church Street, Fleece Yard, Sun Inn Yard and White Lion Yard.

Under provisions of Council Procedure Rule 37 the Committee received representations from Chris Marsden (on behalf of Huddersfield Civic Society) and Peter Everest (applicant).

RESOLVED –

- 1) That Conditional Full Planning Permission be granted subject to delegation of authority to the Head of Development Management to finalise conditions including;
 - a) The timeframe for implementation.
 - b) The development to be in accordance with approved plans.
 - c) A Phase II Contaminated Land report.
 - d) Remediation Strategy.
 - e) Validation Report.
 - f) Scheme of drainage measures to incorporate green or blue roof systems and/or grey water recycling.
 - g) Building works close to public combined sewers and live water mains to be carried out in accordance with approved method statements.
 - h) A scheme for the proposed means of disposal of foul and surface water drainage, including details of any redirection of flows linked to sewer diversion.
 - i) Scheme detailing intended crime prevention measures.
 - j) Noise report specifying measures to protect occupants of nearby noise sensitive premises at Kirkgate and Oldgate.
 - k) Air Quality Impact Report
 - l) Provision of swift nesting opportunities.
 - m) Details of how listed buildings will be supported.
- 2) That authority be delegated to the Head of Development Management to secure a S106 Agreement to (i) secure £185,000 towards highways improvement works on Cross Church Street and (ii) to secure £30,000 towards a public art work on Cross Church Street and £10,000 towards appropriate preparation of the area.
- 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 Development Management shall be authorised to determine the application and consider

whether it should be refused, and in such cases, 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, D Firth, Kane, Pattison, A Pinnock and Scott (6 votes).

Against: (no votes).

14 Planning Application - Application No: 2016/92030

The Committee gave consideration to Application 2016/92030 – listed building consent for erection of extension to existing Kingsgate Shopping Centre to form new leisure development including new cinema and restaurants and demolition of existing buildings on the site including 20-22 Cross Church Street (partly within a conservation area), comprising 20-22 Cross Church Street, Fleece Yard, Sun Inn Yard and White Lion Yard.

RESOLVED –

That Listed Building Consent be granted and authority be delegated to the Head of Development Management to finalise conditions including the time-frame for implementation, and for the development to be in accordance with approved plans.

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

For: Councillors Armer, D Firth, Kane, Pattison, A Pinnock, and Scott (6 votes).

Against: (no votes).

15 Planning Application - Application No: 2016/92181

The Committee gave consideration to Application 2016/92181 – Outline application for erection of residential development (116 dwellings) and formation of new access to Woodhead Road and Land off Woodhead Road, Honley, Holmfirth.

Under provision of Council Procedure Rule 37, the Committee received a representation from Aimee Hanson (applicant's agent).

RESOLVED – That the application be refused on the grounds that (i) the proposed access arrangements for the development of the site, which is a signalled controlled layout, would harm highway safety and efficiency as such the development is contrary to Policies T10 and BE1 of the Kirklees Unitary Development Plan, and the harm to highways safety is not outweighed by any other material considerations and (ii) in the absence of a completed Section 106 Agreement the development fails to provide for educational requirements, affordable housing, public open space and travel planning requirements.

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

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For: Councillors Armer, D Firth, Kane, Pattison, A Pinnock and Scott (6 votes).

Against: (no votes).

16 Planning Application - Application No: 2016/92321

The Committee gave consideration to Application 2016/92321 – Deposit of inert waste on agricultural land to improve surface water drainage at Lands Farm, Cliff Lane, Gomersal.

RESOLVED –

That the application be refused.

(Contrary to the Officer's recommendation, the Committee resolved to refuse the application on the grounds that the proposals did not preserve the openness of Green Belt, constituted inappropriate development and would have a detrimental impact on the character of the local landscape. The Committee considered that very special circumstances had not been demonstrated in accordance with section 9 of the National Planning Policy Framework.)

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

For: Councillors Armer, D Firth, Kane, Pattison, A Pinnock and Scott (6 votes).

Against: (no votes).