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## **KIRKLEES COUNCIL**

### **STRATEGIC PLANNING COMMITTEE**

**Thursday 2nd February 2017**

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

#### **1 Membership of the Committee**

There were no substitutions of membership.

#### **2 Minutes of the Previous Meeting**

**RESOLVED** – That the Minutes of the Meeting held on 5 January 2017 be approved as a correct record.

#### **3 Interests and Lobbying**

Councillors Kane, Pattison and S Hall advised that they had been lobbied on Application 2016/93740.

#### **4 Admission of the Public**

It was noted that exempt information had been provided to the Committee in relation to Application 2016/93740. (Minute No 16 refers)

#### **5 Public Question Time**

No questions were asked.

#### **6 Deputations/Petitions**

No deputations or petitions were received.

**7 Site Visit - Application No: 2016/93797**

Site visit undertaken.

**8 Site Visit - Application No: 2016/92633**

Site visit undertaken.

**9 Site Visit - Application No: 2016/93740**

Site visit undertaken.

**10 Site Visit - Application No: 2016/93004**

Site visit undertaken.

**11 Planning Application - Application No: 2016/92633**

The Committee gave consideration to Application 2016/92633 – Erection of 125 dwellings (with two apartment blocks) including, means of access and associated infrastructure at Heathfield Lane, Birkenshaw.

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

**RESOLVED -**

- 1) That the Head of Development Management be delegated authority to approve the application and issue the decision notice.
- 2) That the Head of Development Management be authorised to complete the list of conditions, which shall include; a two year time limit, the development to be in accordance with approved plans, approval of materials samples, scheme for a new footpath/bridle way link with construction and specification details , a landscape scheme introducing green infrastructure internally within the site and along the north western boundary, development to be completed in accordance with sections provided showing the relationship between Milford Grove and Bradford Road, boundary treatment details, ecology mitigation measure, lighting scheme for development, development to be carried out in accordance with the amended Arboricultural Method Statement, a package of sustainable travel incentives including improvements to bus shelters and residential metro cards through S106, notwithstanding the submitted details – vehicle swept path drawings to demonstrate refuse vehicle/emergency vehicles to access/egress and turn on site shall be submitted and approved in writing by the LPA, construction management plan with detail of how dust emissions during construction will be controlled/minimised, private parking spaces surfaced in permeable material, scheme for internal adoptable estate road (to include sections, drainage

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works, street lighting, sightlines safety audit and surface treatments), scheme detailing all new retaining walls/structures, scheme/constructional details for all new surface water attenuation/culvert tanks located in highways, no pumped discharge of surface water from development to local drainage networks, detailed drainage strategy limiting surface water discharge to 9.7l/s in accordance with submitted FRA dated November 2016 and maintenance and management plan to be approved, detailed flood routing strategy to include assessments and avoidance/mitigation of the effects of 1 in 100 year storm events of drainage infrastructure, surface water and run off pre and post development, temporary drainage provision for surface water drainage and flood risk mitigation during construction phase, no building or other obstruction including landscape features to be located over or within 3 meters either side of the centre of the line of the water main, implementation of remediation strategy, submission of validation report, noise mitigation measures for all properties to achieve acceptable internal target levels (higher acoustic glazing intermittent extract fans for extract ventilation and trickle ventilators for the dwellings adjacent to the motorway), details of an acoustic barrier along the boundary of site adjacent to the motorway and between properties, and provision of electric vehicle charging points.

- 3) That the Head of Development Management be authorised to secure a Section 106 agreement to cover the following matters; (i) Affordable Housing at 20% of the total number of units as starter homes, 25 units, in perpetuity, for sale at 20% off open market value, for first time buyers (aged 23-40) (ii) Public Open Space provisions on site together with commuted sum £6,900 for the shortfall of on-site and any other contribution in line with Policy H18 deemed necessary (iii) Education contribution at £477,319 based on 125 units and (iv) £101,393.75 towards two bus shelters at existing bus stops with Real Time Passenger Information displays and residential metro cards.
- 4) That, pursuant to (3) above, in circumstances where the S106 has not been completed within 3 months of this decision, the Head of Development Management 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, and 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.
- 5) That, pursuant to (2) above, an additional condition be added in relation to the retention, repair and reinstatement of the stone boundary wall.

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

For: Councillors S Hall, Kane and A Pinnock (3 votes)

Against: Councillors Armer, D Firth and Pattison (3 votes)

In accordance with Council Procedure Rule 18(25), the application was determined by the casting vote of the Chair, who voted for the approval of the application.

**12 Planning Application - Application No: 2016/93004**

The Committee gave consideration to Application 2016/93004 – Erection of club house and re-instatement of football field at former Brook Motors Sports Field, New Mill Road, Brockholes.

**RESOLVED -**

- 1) That the Head of Development Management be delegated authority to approve the application and issue the decision notice.
- 2) That the Head of Development Management be authorised to complete the list of conditions, which shall include; commencement of development, development to be completed in accordance with plans, submission of materials for the clubhouse, approval of boundary treatments, submission of crime prevention measures, submission of details for construction traffic to and from site, secure sightlines for point of access, marking out and surfacing of car park with appropriate materials, setting back of gate for site access, submission of details for secure bicycle parking, provision of parking area for Forester's buildings prior to development being brought into use, environmental agency condition re finished floors, drainage strategy – surface water run off; flow routing and temporary drainage solutions, flood mitigation construction techniques, hours of use condition for pitch/floodlights/clubhouse, glare control of floodlighting, unexpected contamination, noise attenuation measures (between club and nearest dwellings), club house not to be used as an A4 public house and biodiversity enhancement measures/landscaping plan.

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)

**13 Planning Application - Application No: 2016/93797**

The Committee gave consideration to Application 2016/93797 – Conversion and extension of existing building, including part demolition, to form wedding venue and restaurant with bedrooms and ancillary car park together with community use (Listed building)(modified proposal) at Fieldhead, 1 Lidget Street, Lindley.

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

**RESOLVED -**

- 1) That the Head of Development Management be delegated authority to approve the application and issue the decision notice.
- 2) That the Head of Development Management be authorised to complete the list of conditions, which shall include; standard limit for implementation, development to be in accordance with the approved plans and other details,

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walling and roofing materials to match existing building, sectional plan of proposed roof terrace to be submitted showing the height of the proposed stone parapet, the hours of use of the roof terrace, sight lines cleared of obstructions to visibility before development is brought into use, access improvements to be implemented in accordance with approved details before development is brought into use, sound attenuation measures to be implemented and proof submitted that they have been installed, approval of ventilation scheme, external doors and windows to remain closed during regulated entertainment, restrictions on hours of use of the premises, bat mitigation measures and three starling nest boxes to be implemented and retained, amended details of landscaping scheme to be submitted and approved, amended arboricultural method statement to be submitted and approved, drainage scheme for the building – details to show how the parking spaces are to be drained, windows at the first floor in northern side elevation to be fitted with obscure glazing minimum grade 4, boundary treatments shown on the approved plans to be implemented and retained, cycle parking facilities as shown on drawing 0010/01 to be provided, travel plan recommendations to be implemented, details of site specific CCTV system and external lighting to be submitted and approved, and details of any permanent parasols or outdoor heaters to be submitted and approved prior to the first use of the terrace.

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)

### 14 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, land off Woodhead Road, Honley, Holmfirth.

#### RESOLVED –

- 1) That the application be refused on highways safety grounds as the proposed access arrangements for the development of the site would be detrimental to highway safety and efficiency in this location, and the harm to highway safety is not outweighed by any other material considerations.
- 2) In the absence of a completed Section 106 agreement, the development fails to provide for educational requirements, affordable housing provision, public open space and travel planning requirements.

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)

**15 Planning Application - Application No: 2015/93850**

The Committee gave consideration to Application 2015/93850 – Demolition of intensive poultry farm buildings and redevelopment of site with 6 detached dwellings with associated landscaping including new paddocks at New Dunsley Poultry Farm, Brow Lane, Holmfirth.

**RESOLVED -**

- 1) That the Head of Development Management be delegated authority to approve the application and issue the decision notice.
- 2) That the Head of Development Management be authorised to complete the list of conditions, which shall include; development to begin within three years, development to be carried out in complete accordance with the plans and specifications schedule, samples of all facing and roofing materials, details of the siting/design/materials to be used in the construction of walls or fences for boundaries/screens/retaining walls, vehicle parking areas to be surfaced and drained, a scheme detailing the proposed internal adoptable estate roads including a turning head, no vehicular access to the development from Brow Lane, a scheme for cycle storage facilities, a scheme detailing foul/surface water/land drainage/ no building or other obstruction located over or within 3.0m either side of the centre line of the 110mm live public water main which crosses the site, phase II intrusive site investigation report, remediation strategy, revisions to the remediation strategy or contamination not previously considered, validation report, landscaping scheme, biodiversity mitigation and enhancement plan and details of the packaged sewage treatment.

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 (5 votes)

Against: Councillor Kane (1 vote)

**16 Planning Application - Application No: 2016/93740**

The Committee gave consideration to Application 2016/93740 – Conversion and alterations of former industrial/commercial buildings to form 104 apartments, leisure facilities and management offices (within a Conservation Area) at Blakeridge Mill, Blakeridge Lane, Batley.

Under the provision of Council Procedure Rule 37, the Committee received representations from Nick Wilock (applicant's agent), Helen Davies (applicant) and Tracy Brabin MP.

**RESOLVED -**

- 1) That the Head of Development Management be delegated authority to approve the application and issue the decision notice following the completion of the consultation period.
- 2) That the Head of Development Management be authorised to complete the list of conditions, which shall include; the commencement of development, development to be completed in accordance with approved plans, alteration and new building works to be undertaken with existing reclaimed stone from the site, landscape scheme and subsequent maintenance, agreed drainage strategy to be implemented, erect acoustic barrier prior to any occupancy with the pavilion, update lighting scheme, scheme for provision of electric charging points, scheme for crime prevention measures, leisure facility and the office suite use exclusively for the Blakeridge complex, implementation of the Japanese Knotweed Management Statement, provision and surfacing of parking and turning areas, extension of section of internal footway in front of Blakeridge Mills, details of any retaining structures adjacent to an adopted highway and provision/implementation of a full residential travel plan.

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)

**17 Local Planning Authority Appeal**

The Committee received a report which set out details of an appeal in regards to Application 2016/90146, which had been allowed by the Planning Inspectorate. The application, which sought outline permission for the erection of residential development at land at Lancaster Lane, Brockholes, had been made under Section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision. The Committee noted that the appeal had been allowed and that outline permission had been granted with all matters (other than access) reserved for residential development.

The report of the Planning Inspector was appended to the considered report.

**RESOLVED –**

That the report be noted.

**18 Pre-application Enquiry: 2016/20220**

The Committee received a report which set out information on a pre-application enquiry regarding a potential major planning application for a sandstone quarry by Johnson Wellfield Quarries. Details of the proposal and associated issues were summarised within the considered report.

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Under the provision of Council Procedure Rule 37, the Committee received representations from Mr Berry (applicant) and Mr Standen (applicant's agent).

The Committee provided comment upon the information that had been provided.

**RESOLVED** – That the information provided be noted.