

**KIRKLEES COUNCIL**

**STRATEGIC PLANNING COMMITTEE**

**Thursday 27th April 2017**

Present: Councillor Paul Kane (Chair)  
Councillor Carole Pattison  
Councillor Andrew Pinnock  
Councillor Bernard McGuin  
Councillor Ken Sims  
Councillor Mohan Sokhal

**1 Membership of the Committee**

Councillor Sokhal substituted for Councillor S Hall.

Councillor McGuin substituted for Councillor B Armer.

Councillor Sims substituted for Councillor D Firth.

The Committee agreed to appoint Councillor Kane as Chair for the duration of the meeting.

**2 Minutes of the Previous Meeting**

Approved as a correct record.

**3 Interests and Lobbying**

Members declared interests and identified planning applications on which they had been lobbied as follows:

Councillors Kane, McGuin, Pattison, A Pinnock, Sims and Sokhal declared they had been lobbied on application 2016/93688.

Councillor McGuin declared an 'other' interest in application 2016/93688 on the grounds that his grandson attended Highburton First School.

Councillors Kane, McGuin, Pattison, A Pinnock, Sims and Sokhal declared they had been lobbied on application 2016/93428.

Councillors Kane and A Pinnock declared they had been lobbied on application 2017/90180.

Councillor Kane declared that he had met with the applicants of application 2016/93514 in his capacity as a ward councillor to have general discussions regarding the proposed development.

**4 Admission of the Public**

All items were taken in public session.

**5 Public Question Time**

The Committee received a question from Peter Schofield on behalf of the Lindley Moor Action Group in regards to the validity of the Air Quality Management report and the implications of Birchencliffe being designated as an Air Quality Management area. The Chair and the Planning Development Management Group Leader responded to the questions.

**6 Deputations/Petitions**

No deputations or petitions were received.

**7 Site Visit - Application No: 2017/90180**

Site visit undertaken.

**8 Site Visit - Application No: 2016/93514**

Site visit undertaken.

**9 Site Visit - Application No: 2017/90077**

Site visit undertaken.

**10 Site Visit - Application No: 2016/93688**

Site visit undertaken.

**11 Planning Application - Application No: 2017/90155**

The Sub-Committee gave consideration to Planning Application 2017/90155 Erection of school, formation of outdoor play areas and fenced MUGA and alterations to existing site access and parking Moor End Academy, Dryclough Road, Crosland Moor, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Marianne McCallum (Agent), Jo-Anne Sanders (Kirklees Council) and Charles Waterhouse (Objector).

**RESOLVED –**

- 1) Delegate approval of the application and the issuing of the decision notice to the Head of Development Management in order to complete the list of conditions contained within the considered report including:
  1. A 3 year Time limit condition
  2. Development to be in accordance with approved plans
  3. Highways requirements
  4. Inclusion of the Sport England requirements
  5. Inclusion of Environmental Services conditions
  6. Inclusion of Yorkshire Water condition
  7. Kirklees Council Drainage requirements
  8. Tree Planting scheme
  9. Use of 3G Pitch
  10. Hours of construction
  11. Implementation of an Acoustic Barrier
  12. Hours of Use of floodlights
  13. Contaminated Land requirements
  14. Removal of existing modular classrooms
  15. Secure By Design
  
- 2) Additional conditions to include a Construction Traffic Management Plan and Travel Plan.

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

For: Councillors Kane, McGuin, Pattison, A Pinnock, Sims and Sokhal (6 votes).  
Against: (0 votes).

**12 Planning Application - Application No: 2016/93428**

The Sub-Committee gave consideration to Planning Application 2016/93428 Part demolition of existing mills and erection of 45 dwellings and 16 apartments. Re-use of existing mill building and alterations to form workshop, car storage, restaurant, function suite and ancillary office space and formation of car park. Conversion of mills to hotel and offices (Listed Building) Washpit Mills, Choppards Lane, Cartworth Moor, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Celia Kilner and Michael Martin (on behalf of Neighbours of Washpit Group).

**RESOLVED –**

To inform the Planning Inspectorate that the Local Planning Authority would have refused the application had its determination remained within its remit.

Contrary to the Officer's recommendation, the Committee considered that the connections between the application site and the nearest settlement of Holmfirth

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were extremely limited for pedestrians and users of public transport and that improvements in these connections were considered to be essential for ensuring the sustainability of the development so that occupants of the proposed residential units, employees and visitors of the non-residential elements of the development were not isolated from the facilities and services of Holmfirth or over dependent upon motor vehicles. The mitigation measures proposed by the applicant to highway improvements on Green Lane/Washpit New Road were considered to be insufficient and would fail to improve the connectivity of the site. The Committee concluded that the development failed to comply with policies T16, BE1 of the Kirklees UDP and section 4 (Promoting Sustainable Transport) of the National Planning Policy Framework.

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

For: Councillors Kane, McGuin, Pattison, A Pinnock, Sims and Sokhal (6 votes).

Against: (0 votes)

### 13 **Planning Application - Application No: 2017/90180**

The Sub-Committee gave consideration to Planning Application 2017/90180  
Erection of 95 dwellings with access from Yew Tree Road and Burn Road Land at  
Ainley Top/Yew Tree Road/Burn Road, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Mike Chalker and Michael Martin (objectors) and Richard Irving (agent).

#### **RESOLVED –**

- 1) Delegate approval of the application and the issuing of the decision notice to the Head of Development Management to resolve technical issues with the remediation of coal mine entries within the site to the satisfaction of the Coal Authority and complete the list of conditions contained within the considered report including:
  1. A time limit condition
  2. Development to be in accordance with approved plans
  3. Approval of sample of materials
  4. Detailed highway design
  5. Contaminated land
  6. Measures to deal with coal mining legacy as may be necessary
  7. Lighting strategy for biodiversity
  8. Landscape and ecological management plan
  9. Construction environmental management plan
  10. Development in accordance with arboricultural method statement (and evidence provided)
  11. Details of any additional tree works that may be required during construction
  12. Archaeological investigation

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13. No building within 3m of sewers across the site
  14. Detailed drainage scheme
  15. Watercourse piping
  16. Flood routing plan
  17. Temporary drainage scheme for construction
  18. Electric vehicle charge points
  19. Sound attenuation measures
- 2) That the Head of Development be authorised to secure a S106 agreement to cover the following matters as detailed in the considered report and the update list:
1. Affordable housing provision
  2. Off-site highway works for junction improvements to Halifax Road/East Street junction (£75,000)
  3. Contribution towards education requirements arising from the development (£234,752)
  4. Contribution towards travel plan monitoring (£10,000)
  5. A reduction of 50% in the original recommended Metro Card contribution of £46,659 with the balance being used towards off-site affordable housing provision
  6. Contribution to bus shelter upgrade on Yew Tree Road (£10,000)
  7. Off-site contribution towards the upgrade of the existing play facility at Birchencliffe recreation ground off Halifax Road. This is in lieu of on-site equipped play provision. The normal cost for an equipped play facility and maintenance costs would be approximately £90,000
  8. Arrangements for the long term maintenance and management of public open space and areas of incidental open space within the site (including those areas containing the drainage detention basins)
  9. Future maintenance and management responsibilities for the drainage infrastructure
- 3) An additional matter for inclusion in the S106 agreement to secure a contribution to provide netting to protect the housing units from the sporting activities on the adjacent rugby playing field.
- 4) That, pursuant to (2) above, In the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution, 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 impose appropriate reasons for refusal under delegated powers.

In addition it was also agreed that:

1. Further negotiations with the developer should take place in order to try and secure a higher percentage towards the affordable housing provision.
2. Work would be undertaken to explore air quality mitigation measures.

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

1. A vote to defer the application.  
For: Councillors McGuin, A Pinnock and Sims (3 votes).  
Against: Councillors Kane, Pattison and Sokhal (3 votes).  
The Chair used his casting vote to defeat the motion to defer the application.
2. A vote to support the officer recommendation.  
For: Councillors Kane, Pattison, A Pinnock and Sokhal (4 votes).  
Against: Councillors McGuin and Sims (2 votes).

### 14 Planning Application - Application No: 2016/93688

The Sub-Committee gave consideration to Planning Application 2016/93688 Erection of 97 dwellings along with associated access, drainage works, landscaping and public open space Land to the south of Burton Acres Lane, Highburton, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Gina Dean, Sarah Ruttle, Chris Shaw, Sara Hughes, Sarah Bell, John Goodyear (objectors) and Mark Lane (agent). Under the provisions of Council Procedure Rule 36 (1) the Committee received representations from Cllr's Bill Armer, Richard Smith and John Taylor (Local Ward Members).

#### RESOLVED –

- 1) Delegate approval of the application and the issuing of the decision notice to the Head of Development Management in order to complete the list of conditions within the considered report including:
  1. A time limit condition
  2. Development to be in accordance with approved plans
  3. A detailed drainage scheme
  4. Temporary drainage scheme for construction
  5. Ecological method statement
  6. Landscape and ecological management plan
  7. Lighting design strategy for biodiversity
  8. Tree protection plan
  9. Contaminated land and coal mining legacy investigation and remediation
  10. Electric vehicle charge in points
  11. Surfacing of parking spaces
  12. Provision of sightlines
  13. Detailed highway design
- 2). That the Head of Development Management be authorised to secure a S106 agreement to cover the following matters:

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1. Public open space provisions including off site commuted sum (£89,000) and future maintenance and management responsibilities of open space within the site
  2. 20% of total number of dwellings to be affordable with a tenure split of 55% being Social Rented and 45% being Sub Market
  3. Delivery of affordable units within the first two phases of development (13 units within phase 1 and 6 units within phase 2)
  4. £233,115 towards Education requirements arising from the development
  5. Provision of Metro Cards & bus shelter upgrade (£33,820)
  6. Future maintenance and management responsibilities for the drainage infrastructure.
- 3) That, pursuant to (2) above, in the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution, 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 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, A Pinnock and Sokhal (4 votes).

Against: Councillors McGuin and Sims (2 votes).

### 15 Planning Application - Application No: 2017/90077

The Sub-Committee gave consideration to Planning Application 2017/90077  
Erection of 85 bed care home with associated car parking and landscaping Busker Lane, Scissett, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Patrick Coyne (objector), David Bennett (Agent) and Carley Rawlinson (on behalf of the applicant).

#### RESOLVED –

- 1) Delegate approval of the application and the issuing of the decision notice to the Head of Development Management in order to complete the list of conditions contained within the considered report including:
  1. A 3 year time limit condition
  2. Development to be in accordance with Approved plans
  3. Approval of materials to be used
  4. Tree protection
  5. Landscaping details
  6. Ecological enhancement details
  7. Contaminated Land
  8. Noise from plant room

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9. Odour/Extraction/Ventilation
  10. Lighting
  11. Boundary treatment
  12. Parking areas to be provided prior to use commencing
  13. Parking areas to be hard surfaced and drained
  14. Visibility Splays to be provided in accordance with approved plans
  15. Details of CCTV
  16. Drainage
  17. Construction Management Plan
  18. Bin store details
- 2) An additional condition that, subject to a tree survey, the removal of trees close to the site entrance be undertaken outside of the nesting season.
- 3) That the Head of Development Management be authorised to secure a S106 agreement to cover the following matters:
1. Dementia care to be provided as part of the proposed care facility

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

For: Councillors Kane, McGuin, Pattison, A Pinnock, Sims and Sokhal (6 votes).  
Against: (0 votes).

### **16 Planning Application - Application No: 2017/90473**

The Committee gave consideration to Planning Application 2017/90473 Erection of 1 dwelling Springfield Farm, Moorside, Cleckheaton.

#### **RESOLVED –**

Delegate approval of the application and the issuing of the decision notice to the Head of Development Management in order to complete the list of conditions contained within the considered report including:

1. A 3 year time limit condition
2. Development to be in accordance with approved plans
3. Samples of materials
4. Removal of permitted development rights
5. Surfacing of parking areas
6. Electric vehicle charging point
7. Reporting of unexpected contamination
8. Ecological Design Strategy

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

For: Councillors Kane, McGuin, Pattison, A Pinnock, Sims and Sokhal (6 votes).  
Against: (0 votes).



**17 Position Statement - Application No: 2016/93514**

The Committee received a position statement in respect of Planning Application 2016/93514 Erection of 149 dwellings with associated car parking, access, landscaping, public open space and drainage works Land off, Rumble Road, Dewsbury and was invited to comment upon the application.

The Committee noted the contents of the report and provided comments to the questions outlined in the submitted report.

**RESOLVED –**

That the Position Statement be received and noted.