

Contact Officer: Richard Dunne

## **KIRKLEES COUNCIL**

### **STRATEGIC PLANNING COMMITTEE**

**Thursday 5th October 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**

All members of the committee were present.

#### **2 Interests and Lobbying**

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

Councillors Kane, Pattison, A Pinnock, D Firth, Armer and S Hall declared they had been lobbied on applications 2017/91796 and 2017/91623.

Councillors Kane, Pattison, A Pinnock, Armer, and S Hall declared they had been lobbied on application 2017/91967.

Councillors Kane, Pattison, A Pinnock and S Hall declared they had been lobbied on application 2017/91677.

Councillor D Firth declared an 'other interest' on application 2016/90376 on the grounds that he knew the applicant.

#### **3 Admission of the Public**

All items on the agenda were taken in Public Session.

#### **4 Public Question Time**

No questions were asked.

#### **5 Deputations/Petitions**

No deputations or petitions were received.

#### **6 Site Visit - Application No: 2017/90955**

Site Visit undertaken.

**7 Site Visit - Application No: 2017/91796**

Site Visit undertaken.

**8 Site Visit - Application No: 2017/90207**

Site Visit undertaken.

**9 Site Visit - Application No: 2016/90376**

Site Visit undertaken.

**10 Site Visit - Application No: 2017/90557**

Site Visit undertaken.

**11 Site Visit - Application No: 2017/91677**

Site Visit undertaken.

**12 Planning Application - Application No: 2017/91623**

The Committee gave consideration to Planning Application 2017/91623 Erection of 58 dwellings and associated means of access at land at, Dunford Road, Hade Edge, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Steve Sykes, John Dalton, Julie McDonald, Penny Sykes and Kevin MacMillan (objectors) and Jonathan Ainley (speaking on behalf of the applicant).

Under the provisions of Council Procedure Rule 36 (1) the Committee received representations from Cllr Nigel Patrick and Cllr Ken Sims (Local Ward Members).

**RESOLVED –**

1) Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions contained within the considered report including:

1. A 3 year time limit for commencement.
2. Development to be implemented in accordance with the plans.
3. Samples of all construction materials.
4. Unexpected Land Contamination.
5. Construction operations hours.
6. Visibility Splays to be provided.
7. Areas to be surfaced and drained.
8. Internal adoptable roads.
9. Footway to be provided.
10. Soakaways.
11. Overland Flood Routing.
12. Temporary Drainage Provision.

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13. Vehicle Charging Points.
14. Low emissions Travel Plan.
15. Yorkshire Water- satisfactory outfall.
16. A mitigation plan for the SPA/SAC including signage in the SPA/SAC, leafleting and a program of path maintenance.

2) An additional condition that the construction of the development includes the use of natural stone and slate.

3) Secure a Section 106 agreement to cover the following matters:

1. 12 dwellings to be affordable with a tenure split of six being Social Rented and six being Sub Market.
2. £246,834 towards Education requirements arising from the development.
3. £287,546.50 towards Highway Improvement works

4) that, pursuant to (3) above, In the circumstances where the Section 106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Strategic Investment 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; if so, the Head of Strategic Investment is 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 S Hall (4 votes)

Against: Councillors D Firth and Armer (2 votes)

### **13 Planning Application - Application No: 2016/91967**

The Committee gave consideration to Planning Application 2016/91967 Outline application for residential development and convenience store, and provision of open space Land at, Dunford Road, Hade Edge, Holmfirth.

#### **RESOLVED –**

That following the decision of the Committee to approve application 2017/91623 that consideration of the application be deferred.

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

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

Against: (0 votes)

### **14 Planning Application - Application No: 2017/91796**

The Committee gave consideration to Planning Application 2017/91796 Demolition of existing building and erection of Class A1 foodstore, formation of car parking,

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landscaping and associated works Land off, Huddersfield Road, Thongsbridge, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Carl Brier (objector), Elizabeth Varley (in Support) and Mark Stringer (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36 (1) the Committee received representations from Cllr Nigel Patrick and Cllr Ken Sims (Local Ward Members).

### **RESOLVED –**

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

1. A 3 year time limit for commencement of the development.
2. Development to be in accordance with submitted plans.
3. Samples of materials.
4. Landscaping.
5. Tree protection.
6. Environmental Health to include: decontamination/remediation; Provision of electric charging points; and Hours of use and delivery.
7. Drainage to include: greenfield run off rates; attenuation details; and finished floor levels in accordance with FRA.
8. Bio diversity enhancement measures.
9. Lighting scheme.
10. Limitation of floor space and net sales area for comparison goods.
11. Highways to include: Access details; parking areas provided and surfaced; and provision of Travel Plan.
12. Crime Prevention condition.

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

For: Councillors Armer, D Firth, S Hall, Kane, A Pinnock and Pattison (6 votes)  
Against: (0 votes)

## **15 Planning Application - Application No: 2017/90207**

The Committee gave consideration to Planning Application 2017/90207 Outline application for erection of B1 light industry Thongsbridge Mills, Miry Lane, Thongsbridge, Holmfirth.

### **RESOLVED –**

1) Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions contained within the considered report and the update list including:

1. A 3 year time limit for commencement.
2. Reserved matters within 2 years.
3. Contaminated Land conditions to cover intrusive investigation, remediation and validation.

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4. Ecological enhancement.
5. Drainage.
6. Travel Plan.
7. Highway access detailed design.
8. Landscaping to include a buffer in North West corner of site closest to residential property.
9. Operating hours and Construction hours to be determined as part of reserved matters.
10. Construction management plan.
11. Details of external plant.
12. Floodlighting details and a scheme to manage and control lighting.
13. Details of drainage to accompany reserved matters – layout.
14. Flood evacuation plan.
15. Electric Charging Points 10% of spaces.
16. The submission of a Road Safety Audit and final details of the design access to be agreed.

2) An additional condition that noise attenuation details are provided at reserved matters.

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

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

Against: (0 votes)

### 16 Planning Application - Application No: 2017/90557

The Committee gave consideration to Planning Application 2017/90557 Erection of 99 dwellings Calder View, Lower Hopton, Mirfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Brian Reynolds (applicant).

#### **RESOLVED –**

- 1) Delegate approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions contained within the considered report and the update list including;
  1. A 3 year time limit for commencement.
  2. Approved plan.
  3. Boundary Treatments in accordance with details prior to occupation.
  4. Details of acoustic fence.
  5. Drainage details (excluding site access details if no adoption is agreed).
  6. Finished floor levels.
  7. Details as to how the site to be accessed in emergency at times of flooding (emergency access) to include details of proposed signage and a schedule for maintenance.
  8. Ventilation of windows closest to railway.
  9. Contaminated Land – in case contaminants found on site.
  10. YW – separate system of drainage for foul and surface water.

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11. Measures to reduce crime in accordance with submitted report.
12. Construction method statement.
13. Landscaping to be implemented.
14. Details of how any existing watercourses within the application site will be dealt with.

2) Secure a S106 agreement to cover the following matters:

1. £22,162 for the purposes of highway maintenance, monitoring and cleaning following any flooding event.

3) that, pursuant to (2) above, In the circumstances where the Section 106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Strategic Investment 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; if so, the Head of Strategic Investment is authorises 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 Armer, S Hall, Kane, A Pinnock and Pattison (4 votes)

Against: Councillor D Firth (1 vote)

Abstained: Councillor Kane

### 17 **Planning Application - Application No: 2017/91677**

The Committee gave consideration to Planning Application 2017/91677 Erection of 43 retirement living apartments, 83 bed care home with provision of communal facilities, landscaping and car parking and erection of 7 affordable dwellings Land at, Serpentine Road, Cleckheaton.

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

#### **RESOLVED –**

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

1. A 3 year time limit for commencement.
2. Approved plans.
3. Phasing plan.
4. Buggy store elevations.
5. Materials.
6. Elevations of substation.
7. Yorkshire Water condition to ensure protective measures submitted to ensure existing infrastructure not adversely affected.
8. Full drainage details.
9. Lighting Strategy.

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10. Landscaping for each phase to be submitted before each phase occupied and planted no later than first planting season following occupation of first unit.
11. Boundary treatment for each phase to be provided and implemented prior to occupation of any phase.
12. Occupation of Retirement Apartments and Care Home limited to over 55's.
13. Bin collection details for each phase of development.
14. Parking to be implemented prior to occupation.
15. Highway works along Serpentine Road to include footway lighting and other works required to facilitate safe pedestrian access.

2) Secure a section 106 agreement to cover the following matters:

1. 7 dwellings to be affordable with a tenure split to be agreed with the Council. Affordable units provided prior to 50% of the Retirement Living units being occupied.

3) that, pursuant to (2) above, In the circumstances where the Section 106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Strategic Investment 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; if so, the Head of Strategic Investment is 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 Armer, D Firth, S Hall, Kane, A Pinnock and Pattison (6 votes)  
Against: (0 votes)

### 18 **Planning Application - Application No: 2017/91208**

The Committee gave consideration to Planning Application 2017/91208 Outline application for erection of industrial development of up to 3684 sqm B1c/B2/B8, with means of access (to, but not within, the site) from Colnebridge Road Land adj, Colnebridge Waste Water Treatment Works, Colnebridge Road, Bradley, Huddersfield.

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

#### **RESOLVED -**

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

1. Standard condition outlining all reserved matters to be submitted.
2. Reference to approved plans.
3. Reserved matters to be submitted within 3 years and development commenced within 2 years of final reserved matters.

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4. Drainage conditions covering details of existing culverts within the site to be submitted with Reserved Matters (Layout).
5. Foul and surface water drainage. To be submitted with Reserved Matters (Layout).
6. Contaminated land conditions.
7. Noise report.
8. Ecological enhancement measures to be incorporated into landscaping.
9. Boundary treatments.
10. Cycle parking.
11. Finished floor levels to be raised in accordance with FRA.
12. Landscaping scheme shall include trees to be retained.

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

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

Against: (0 votes)

### 19 **Planning Application - Application No: 2017/90955**

The Committee gave consideration to Planning Application 2017/90955 Outline application for residential development. Land at, Forest Road, Dalton, Huddersfield.

#### **RESOLVED –**

That consideration of the application be deferred to allow the applicant to arrange a structural engineers report to outline the technical details of how the scheme could be implemented when taking account of the high sloping nature of the site.

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

For: Councillors Armer, S Hall, Kane, A Pinnock and Pattison (5 votes)

Against: (0 votes)

Abstained: Councillor D Firth

### 20 **Planning Application - Application No: 2017/92312**

The Committee gave consideration to Planning Application 2017/92312 Demolition of existing three storey mill and associated buildings and erection of factory extension adjoining the existing mill building Ravensthorpe Mills, Huddersfield Road, Ravensthorpe, Dewsbury.

#### **RESOLVED –**

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

1. A 3 year time limit for commencement.
2. Development to be in accordance with the plans and specifications.
3. Unexpected contamination.



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4. Development to be in accordance with submitted Flood Risk Assessment.
5. Provision of oil separator for surface water drainage from areas of hardstanding.
6. Turning area for HGV's to be provided.
7. Development carried out in accordance with submitted bat survey.
8. Mitigation measures in form of bat roost features required.
9. Prior to commencement of the development a scheme to dispose of surface water to be submitted and approved.
10. Development to be carried out in complete accordance with the proposed mitigation measures in the submitted Bat Survey.

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

For: Councillors Armer, S Hall, Kane, A Pinnock and Pattison (5 votes)

Against: (0 votes)

Abstained: Councillor D Firth

### 21 Planning Application - Application No: 2016/90376

The Committee gave consideration to Planning Application 2016/90376 Outline application for erection of 7 dwellings with associated works Land to NE of Wickleden Gate, Scholes, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Robert Small, Joan Small and Sheila Smith (Local Residents) and Noel Scanlan, Charlie Moore and Dudley Parker (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36 (1) the Committee received representations from Cllr Nigel Patrick and Cllr Ken Sims (Local Ward Members).

#### **RESOLVED –**

That the application be refused in line with the following reasons that were included in the considered report and the update list:

1. The site forms part of an Urban Greenspace allocation on the Council's Unitary Development Plan (UDP) Proposals Map as well as on the Draft Publication Local Plan. Policy D3 of the UDP and Policy PLP 61 of the Local Plan relate to development on Urban Greenspace sites. The site (and the wider allocation) is considered to have visual amenity value by providing open green space within the built-up area of Scholes where similar open land is scarce. It is considered that the development does not meet the criteria for development on Urban Greenspace sites as set out in Policy D3 of the UDP, including the provision of a specific community benefit. Furthermore, the development would not be consistent with PLP 61. The loss of the value of the Urban Greenspace is considered to outweigh all other material considerations, including the delivery of new housing.
2. The proposed layout would prejudice the long term viability of adjacent mature protected trees by introducing a new dwelling in very close

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proximity that would experience significant shading by these trees. This would result in the likelihood of pressure to fell or prune the trees in the future which would consequently be to the detriment of the visual amenity of the area, including the Urban Greenspace allocation. This would be contrary to Policies NE9, BE2 and D3 of the Kirklees Unitary Development Plan.

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

For: Councillors Armer, S Hall, Kane, A Pinnock and Pattison (5 votes)

Against: (0 votes)

### **22 Pre-Application - Application No: 2017/20041**

The Committee received a pre-application report and presentation in respect of a potential major planning application for a mixed use development on the former Kirklees College site located to the North of Huddersfield Town Centre, Castlegate.

Under the provisions of Council Procedure Rule 37, the Committee received the presentation from Richard Irving (I D Planning) and Ryan Groves (Enjoy Design).

#### **RESOLVED –**

That the pre-application presentation be received and noted.