

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 2nd November 2017

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Nigel Patrick
Councillor Mohan Sokhal

1 Membership of the Committee

Councillor Patrick substituted for Councillor D Firth.
Councillor Sokhal substituted for Councillor Kane.

2 Minutes of the Previous Meeting

RESOLVED – That the Minutes of the meetings held on 7 September and 5 October 2017 be approved as correct records.

3 Interests and Lobbying

No declarations were made.

4 Admission of the Public

It was noted that all agenda items would be considered in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked.

7 Site Visit - Application No: 2017/92286

Site visit undertaken.

8 Site Visit - Application No: 2017/91213

Site visit undertaken.

9 Site Visit - Application No: 2017/90143

Site visit undertaken.

10 Site Visit - Application No: 2017/92743

Site visit undertaken.

11 Local Authority Planning Appeals

The Committee received a report which set out decisions which had been taken by the Planning Inspectorate in respect of decisions submitted against the decisions of the Local Planning Authority.

RESOLVED - That the report be noted.

12 Planning Application - Application No: 2017/90443

The Committee gave consideration to Application 2017/90443 – Erection of 3 units for B1 (light industrial) and B1 use, erection of two storey office and alterations to existing building at Ratcliffe Mills, Forge Lane, Thornhill Lees, Dewsbury.

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

RESOLVED – That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- the standard time limit for implementation of permission (3 years)
- development to be carried out in accordance within approved plans
- no development on the buildings superstructure until samples of facing and roofing materials have been approved
- no occupancy until 2.4m x 43m site lines have been provided at the access
- no occupancy until access radii indicated have been implemented
- no occupancy until areas to be used by vehicles have been surfaced, sealed and parking spaces marked out
- land set aside for potential cycle route link not be developed or permanently obstructed
- the submission of a scheme providing drainage details for the site before development commences
- the submission of a surface water management scheme before development commences
- the floor levels of the development to be above 39.96 AOD
- the implementation of an intrusive contaminated land survey
- the submission of a site remediation strategy if required
- implementation of site remediation strategy if required
- submission of remediation validation if required
- the submission of a scheme detailing how noise sensitive properties are to be protected
- all windows on western elevation of the office building to be non-opening and obscurely glazed
- no occupancy until details of extract ventilation systems have been approved
- no occupancy until details of refuse bin storage areas have been submitted and agreed
- the installation of electric vehicle charging points
- the submission of a low emissions travel plan
- the submission and approval of a landscaping scheme (including maintenance arrangements) the submission of a scheme indicating how the suite will be artificially lit

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;
For: Councillors Armer, S Hall, Patrick, Pattison, A Pinnock and Sokhal (6 votes)
Against: (no votes)

13 Planning Application - Application No: 2017/91213
The Committee gave consideration to Application 2017/91213 – Extraction of minerals and subsequent reclamation to agriculture land to east of Arborary Lane and north of Whitehead Road, Crosland Moor.

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

RESOLVED –

- 1) That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;
 - Time limit: (i) standard condition requiring implementation of permission within 5 years of date of approval and (ii) condition requiring development to be completed by 31 December 2037
 - Plans: (i) copy of planning permission and all approved documents to be available at all times at the site (ii) development to be carried out in accordance with complete accordance with approved plans and (iii) a condition to deal with the prior cessation of development
 - Access: (i) all vehicular access to be taken from Arborary Lane (ii) requirement to provide wheel washing facilities on site (iii) limit on HGV movements at the site to 25 in and 25 out (iv) scheme detailing the vehicle passing places on Arborary Lane and Nopper Road (v) provision of access and sight lines prior to development being brought into use (vi) provision and agreement of a vehicle management plan and (vii) provision of a highway inspection regime
 - Land Stability: condition requiring the submission of a geotechnical stability assessment
 - Working Programme: (i) condition and requiring construction specification for screen mounds (ii) condition requiring the construction of screen mounds prior to commencement of mineral extraction (iii) condition requiring site to be worked in accordance with approved phasing plans (iv) condition requiring that the extraction void is not worked below approved topographical levels (v) requirement to provide an annual report regarding mineral extraction and backfilling operations (vi) requirement to maintain monthly records of mineral extracted (vii) no discharge of foul or contaminated water into existing water regimes (viii) drainage to pass through appropriate settlement ponds or similar system (ix) screen hedge around overburden storage area to be planted within first planting season following approval of planning permission and (x) overburden stored above ground not to exceed 2m in height from surrounding ground level
 - Soil stripping and storage: (i) no soil stripping until a scheme has been agreed to protect brown hare and ground nesting birds (ii) topsoil and subsoil to be stripped separately prior to mineral extraction (iii) soils to be stripped in dry weather conditions (iv) condition requiring details of the quantities of soils stripped and (v) soil storage mounds to be grass seeded
 - Restoration: (i) submission of a detailed site restoration scheme and (ii) submission of an ecological enhancement centre
 - Soil replacement: (i) final backfill levels to be 500mm below final site level in order to accommodate soils (ii) spreading of soils to be carried out in dry conditions (iii) areas to receive soils to be ripped to relieve compaction and all objects larger than 75mm to be removed (iv) top soils to be spread on restored areas to appropriate depths (v) a grass sward to be developed on restored areas to be used for grazing and grass/wildflower sward to be developed on areas restored to nature conservation (vi) requirement to carry out remedial works

Strategic Planning Committee - 2 November 2017

should the grass swards fail within two months of any restoration being completed a plan to be submitted to the MPA indicating extent and nature of restoration

- Aftercare: (i) condition requiring the submission of an outline aftercare scheme (ii) condition requiring the implementation of the outline aftercare scheme (iii) requirement to provide an annual aftercare programme and (iv) requirement to organise an annual aftercare site meeting to review progress
 - Protection of amenity: (i) hours of operation restriction 07:30 to 18:00 Monday to Friday, and 07:30 to 13:00 on Saturday (ii) noise level restrictions as measured from noise monitoring locations (iii) noisy operations allowed for eight weeks per year only to be carried out between 09:00 to 17:30 Monday to Friday, and 09:00 to 12:30 on Saturday (iv) no crushing or screening to take place at the site (v) all plant and machinery to be operated and maintained in accordance with manufacturers specifications (vi) proposed vehicle reversing systems to be submitted and approved by the MPA (vii) no blasting to be carried out (viii) submission of a noise monitoring scheme (ix) submission of a noise suppression scheme (x) prior to any excavation commencing, a clean supply of water shall be installed at the site (xi) submission of a dust suppression scheme (xii) suppression of a dust monitoring scheme (xiii) the site shall not be used for the storage of plant or equipment not directly associated with the operation of the quarry (xiv) removal of permitted development rights to erect buildings, plant or machinery etc.
 - Cultural heritage: (i) condition requiring archaeological assessment to be carried out prior to the development commencing and (ii) the MPA to be notified of and archaeological finds during operation of the site.
- 2) That authority be delegated to the Head of Strategic Investment to secure a S106 Agreement to cover the following matters;
- the provision and maintenance of passing places along Arborary Lane and Nopper Road
 - linking the restoration of the airfield extension the construction and subsequent dedication of the proposed footpath link from Turbid Lane to Arborary Lane
 - the establishment of a Liaison Group
 - the agreement of and subsequent implementation of a formal road cleaning scheme
 - the control of vehicle routing
- 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 Strategic Investment shall be authorised to 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 would therefore be permitted 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, Patrick, Pattison, A Pinnock and Sokhal (6 votes)

Against: (no votes)

14 Planning Application - Application No: 2017/90143

The Committee gave consideration to Application 2017/90143 – Outline application for residential development at land adjacent to Lockwood Scar, Huddersfield.

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

RESOLVED – That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- standard outline conditions relating to submission of reserved matters, implementation of reserved matters, reserved matters submission time limit and reserved matters implementation time limit
- highways
- ecology
- drainage
- affordable housing (if reserved matters exceeds 11 dwellings)
- crime prevention
- noise report
- contamination reports

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;
For: Councillors Armer, S Hall, Patrick, Pattison, A Pinnock and Sokhal (6 votes)
Against: (no votes)

15 Planning Application - Application No: 2017/92923

The Committee gave consideration to Application 2017/92923 – Formation of temporary car park (retrospective) at land off Gasworks Street, Huddersfield.

RESOLVED – That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- approved plans
- use to cease two years from the date of the decision notice
- highways conditions relating to the phasing of development and management
- development to be carried out in full accordance with flood risk assessment
- details of CCTV
- the access/egress of the car park using St Andrew's Road must be managed at all times when in use during stadium events and enforced by the stadium traffic management plan
- a scheme for the detailed design of the pedestrian improvements to St Andrew's Road/Gasworks Street signal junction (consented as part of HDOne and installation to accommodate the safe movement of pedestrians
- a car park operation plan detailing spaces, uses, charging and control measures within two months
- a scheme detailing CCTV and lighting scheme to address safety and crime with two months
- a scheme detailing the location and cross sectional information for all proposed construction works adjacent to the existing private boundary wall along Gas Works Street/St Andrews Road including any modifications to it shall be submitted to and approved by the Highway Authority in writing. The approved scheme shall be

Strategic Planning Committee - 2 November 2017

implemented prior to the commencement of the proposed development and thereafter retained during the life of the development

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;
For: Councillors Armer, S Hall, Patrick, Pattison, A Pinnock and Sokhal (6 votes)
Against: (no votes)

16 **Planning Application - Application No: 2017/92743**

The Committee gave consideration to Application 2017/92743 – Outline application for erection of three dwellings at land adjacent to Upper Blacup Farm, Halifax Road, Hightown, Liversedge.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Mr Laher (in support of the application).

RESOLVED – That the application be refused on the grounds that (i) the site is allocated as Urban Greenspace on the Kirklees Unitary Development Plan Proposals Map and the loss of the site is given significant weight (ii) the proposed development is contrary to Policy D3 of the Unitary Development Plan and Policy PLP 61 of the Draft Publication Local Plan which relates to development on such sites (iii) the loss of the value of the Urban Greenspace is considered to outweigh all other material considerations, including the delivery of new housing and (iv) the application has failed to demonstrate that the ecological impacts of development on the semi natural habitats on the site are acceptable and that to approve the application without this information would be contrary to Policy EP11 of the Kirklees Unitary Development Plan and Chapter 11 of the National Planning Policy Framework.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;
For: Councillors Armer, S Hall, Patrick, Pattison, A Pinnock and Sokhal (5 votes)
Against: (no votes)
Abstained: Councillor Sokhal

17 **Planning Application - Application No: 2017/92286**

The Committee gave consideration to Application 2017/92286 – Change of use from existing industrial use (B1) to mixed use brewery with on-site public tasting room (brewery tap) and storage of alcohol/function at Unit 15, Heath House Mill, Heath House Lane, Golcar.

RESOLVED – That authority be delegated to the Head of Strategic Investment to approve the application for a temporary 12 month period, issue the decision notice and complete the list of conditions including matters relating to;

- development in accordance with approved plans
- restriction on hours to those proposed within the application
- restriction on number of visitors to the tasting room/function area at any one time (excluding staff) to a maximum of 150
- details of existing extract ventilation system for brewing process
- noise mitigation strategy
- detailed car parking management scheme for the business

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;
For: Councillors S Hall, Patrick, Pattison, A Pinnock and Sokhal (5 votes)
Against: Councillor Armer (1 vote)