

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 11th April 2019

Present: Councillor Steve Hall (Chair)
Councillor Donna Bellamy
Councillor Paul Kane
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Rob Walker

Apologies: Councillor Donald Firth

1 Membership of the Committee

Apologies for absence were received on behalf of Councillor D Firth.

2 Minutes of the Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 14 March 2019 be approved as a correct record.

3 Interests and Lobbying

Councillor Kane advised that he had been lobbied on Applications 2018/90502 and 2018/93825.

Councillors S Hall and A Pinnock advised they had been lobbied on Application 2018/93825.

Councillor Bellamy declared an 'other' interest in Application 2018/90502 on the grounds that she knew the applicant and did not participate in the consideration or determination of the application.

4 Admission of the Public

It was noted that exempt information had been submitted in respect of Agenda Items 15, 16 and 17 (Minute No's 15, 16 and 17 refers).

5 Deputations/Petitions

None received.

6 Site Visit - Application No: 2018/90501

Site visit undertaken.

7 Site Visit - Application No: 2018/93825

Site visit undertaken.

8 Planning Application - Application No: 2018/90817

The Committee gave consideration to Application 2018/90817 – Formation of 3G sports pitch including 5m high rebound fencing (within a Conservation Area) at King James School, St Helen's Gate, Almondbury.

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Under the provisions of Council Procedure Rule 37, the Committee received representations from Rachel Marsden and Steve Marsden.

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;

- time limit for implementation – 3 years
- undertaken in accordance with plans
- use by students (aged 16 and under) only
- hours/days of use
- use limited to term time
- noise mitigation measures, to include full details and provision of acoustic barrier to pitch boundary prior to use
- no external lighting permitted
- rebound fencing colour to be green
- planting/landscape scheme to be submitted and implemented

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

For: Councillors Bellamy, S Hall, Kane, Pattison, A Pinnock and Walker (6 votes)

Against: (no votes)

9 **Planning Application - Application No: 2018/90502**

The Committee gave consideration to Application 2018/90502 – Change of use and alterations to part of mill to form 42 residential units and 8 light industrial units (use class B1c) and retention of part of existing retail use (revised description and amended plans) at Stanley Mills, Britannia Road, Milnsbridge.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Andrew Lindsey, Gerwyn Bryan, Hamish Gledhill and Jeremy Child (in support).

RESOLVED – Contrary to the Officer's recommendation, the application be delegated to Officers to approve. (The Committee considered that the benefits of the proposed scheme, including in order to bring the mill building back into use and provide local employment opportunities.)

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

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

Against: (no votes)

(Councillor Bellamy did not participate pursuant to her declaration of interest)

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10 **Planning Application - Application No: 2018/93825**

The Committee gave consideration to Application 2018/93825 – Erection of 110 dwellings (modified house types plots 1-56, 59-106, 109-114) Cleckheaton Mills, Bradford Road, Cleckheaton.

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 for implementation – 3 years
 - construct in accordance with approved plans
 - boundary treatments
 - samples of materials
 - noise attenuation scheme
 - remediation scheme
 - drainage scheme
 - bat and bird roost opportunities scheme implementation
 - electric charging points implementation
 - removal of permitted development rights
- (2) That authority be delegated to the Head of Strategic Investment to secure a S106 Agreement to ensure (i) provision of 4 no. affordable units and (ii) £105, 101 towards the provision of off-site public open space in the vicinity.
- (3) That, pursuant to (2) above, in circumstances where the variation to 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 Bellamy, S Hall, Pattison, A Pinnock and Walker (5 votes)

Against: (no votes)

Abstained: Councillor Kane

11 **Planning Application - Application No: 2018/93098**

The Committee gave consideration to Application 2018/93098 – Variation of conditions 28,33,34 and 35, and removal of condition 31 on previous Application 2016/91337 at former St Luke's Hospital, Blackmoorfoot Road, Crosland Moor, Huddersfield.

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

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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 regarding the agreement of;
 - Condition 28 (agreed)
 - Condition 31 (deleted)
 - Condition 33 (remove of parts a and c)
 - Condition 34 (variation agreed)
 - Condition 35 (variation not agreed, condition to remain)
 - All other conditions on Outline to be restated

- (2) That authority be delegated to the Head of Strategic Investment to secure a S106 Agreement to ensure (i) the provision of on-site public open space and subsequent maintenance (ii) the delivery of 11 starter homes on the site (Affordable Housing) (iii) the land currently shown as being for commercial purposes (as shown on drawing number ref 1835.00 dated 11/9/18) shall be actively marketed for residential development for a minimum period of 3 years with the stipulation that the provision of a policy compliant affordable housing scheme on the site shall be provided and (iv) contributions to provide signal equipment to the site access onto Blackmoorfoot Road at £22,340.

- (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 Bellamy, S Hall, Pattison, A Pinnock and Walker (5 votes)

Against: Councillor Kane (1 vote)

12 **Planning Application - Application No: 2018/93200**

The Committee gave consideration to Application 2018/93200 – Erection of 26 dwellings at land at former St Luke’s Hospital, Blackmoorfoot Road, Crosland Moor, Huddersfield.

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

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;

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- 3 years to commence
- build in accordance with approved plans
- samples of materials
- boundary treatments
- implement noise mitigation
- details on acoustic screening
- highways/layout parking
- electric charging points
- landscape management plan
- construction management plan
- drainage conditions

(2) That authority be delegated to the Head of Strategic Investment to secure a S106 Agreement to ensure (i) the provision of on-site public open space and subsequent maintenance (ii) the delivery of 11 starter homes on the site (Affordable Housing) (iii) the land currently shown as being for commercial purposes (as shown on drawing number ref 1835.00 dated 11/9/18) shall be actively marketed for residential development for a minimum period of 3 years with the stipulation that the provision of a policy compliant affordable housing scheme on the site shall be provided and (iv) contributions to provide signal equipment to the site access onto Blackmoorfoot Road at £22,340.

(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 Bellamy, S Hall, Pattison, A Pinnock and Walker (5 votes)

Against: Councillor Kane (1 vote)

13 **Planning Application - Application No: 2018/93201**

The Committee gave consideration to Application 2018/93201 – Reserved matters application for residential development pursuant to outline permission 2016/91337 at land at former St Luke’s Hospital, Blackmoorfoot Road, Crosland Moor, 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;

- build in accordance with approved plans
- samples of materials
- boundary treatments

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- tree protection during construction
- parking/highways laid out and maintained
- construction management plan
- implementation of noise mitigation on relevant plots
- implementation of air quality/dust suppression measures during construction
- electric charging points

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

For: Councillors Bellamy, S Hall, Pattison, A Pinnock and Walker (5 votes)

Against: Councillor Kane (1 vote)

14 Exclusion of the Public

RESOLVED - That acting under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act, as specifically stated in the undermentioned Minute.

15 Planning Application - Application No: 2018/93098

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, namely that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and the company concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making).

The Committee gave consideration the exempt information prior to the determination of Agenda Item 15 (Minute No 11 refers.)

16 Planning Application - Application No: 2018/93200

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, namely that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and the company concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making).

The Committee gave consideration the exempt information prior to the determination of Agenda Item 16 (Minute No 12 refers.)

17 Planning Application - Application No: 2018/93201

Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, namely that the report contains information relating to the financial or

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business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and the company concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making).

The Committee gave consideration the exempt information prior to the determination of Agenda Item 17 (Minute No 13 refers.)