

Contact Officer: Richard Dunne or Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Wednesday 29th July 2020

Present: Councillor Steve Hall (Chair)
Councillor Donna Bellamy
Councillor Donald Firth
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Cathy Scott
Councillor Mohan Sokhal

Observers: Councillor Habiban Zaman

1 Membership of the Committee

All members of the committee were present.

2 Interests and Lobbying

Cllrs Bellamy, D Firth, Pattison, A Pinnock, Scott, Sokhal and S Hall declared that they had been lobbied on item 6 (Definitive Map and Statement of Public Rights of Way. Re-assessment of legal status of Huddersfield 231, Nether Moor Farm, South Crosland).

Cllrs Sokhal, A Pinnock, Bellamy, Scott and S Hall declared that they had been lobbied on application 2019/93246.

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 Definitive Map and Statement of Public Rights of Way. Re-assessment of legal status of Huddersfield 231, Nether Moor Farm, South Crosland.

The Committee considered a report that re-considered the evidence following the quashing of Kirklees Council (Huddersfield Public Bridleway 231- Sandy Lane to Nether Moor Road, South Crosland) Public Path Modification Order 2018.

The report outlined the context and background to the matter, information required to take a decision, next steps and officer recommendations and reasons.

Strategic Planning Committee - 29 July 2020

Under the provisions of Council Procedure Rule 37, the Committee received representations from Rebecca Johnson, Michael France, Andy Leader, Sharon Gunson, Margaret Dale, Robert Singleton, Helen Stewart, Alex Davidson, Sue Chadwick, Paul Chadwick, Janet McCrorie, Andrea Whitham, Deborah Lau, Sue Wormald, Lorna Atkinson, Beverley Corrigan, Mary Wilkinson, Cathy Kaminski, Chris Street, Diane Redmond, Helen Smith, Jane Whittell, Darren Smith and Cosima Towneley (in support of the officer recommendation) and Andy Dunlop (who objected to the recommendation).

RESOLVED -

1. That the Service Director, Legal, Governance and Commissioning be authorised to make and seek confirmation of a Definitive Map Modification Order to downgrade the recorded status 13 of Huddersfield 231 from Byway Open to All Traffic to public bridleway under sections 53(2)(b) and 53(3)(c)(ii) of the Wildlife and Countryside Act 1981 and;
2. That any Order vary the particulars shown in the Statement accompanying the Definitive Map to record limitations including a gate and stile at point B on the plan at item 2 in appendix A to the considered report, and two removable bars, poles or rails at points D and E.

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

For: Councillors Bellamy, D Firth, Pattison, A Pinnock, Scott, Sokhal and S Hall (7 votes).

Against: (0 votes).

7 Planning Application - Application no: 2019/94051

The Committee gave consideration to Planning Application 2019/94051 Outline application of up to 39 dwellings and associated works Land off Burn Road, Huddersfield.

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. Complete the list of conditions including those contained within the considered report including:
 1. Standard outline condition 1 (submission of reserved matters).
 2. Standard outline condition 2 (implementation of reserved matters).
 3. Standard outline condition 3 (reserved matters submission time limit).
 4. Standard outline condition 4 (reserved matters implementation time limit).
 5. Contaminated land investigation and appropriate remediation pre-commencement conditions.
 6. Full drainage scheme to be provided prior to commencement.

Strategic Planning Committee - 29 July 2020

7. Overland flow routing plan to be provided prior to commencement.
8. Temporary surface water drainage plan to be provided prior to commencement.
9. Noise mitigation.
10. Construction environmental management plan.
11. EV Charging Points.
12. Layout to include Arboricultural Impact and Methodology assessments.
13. Affordable housing contribution.
14. Education contribution.
15. Public open space and local area of play contribution.
16. Metro contribution.
17. Ecological Impact Assessment, to include 10% net gain.
18. Done in accordance with FRA.
19. PROW works to be detailed at Reserved Matters stage.
20. Internal adoptable roads details to be provided prior to development commencing.
21. Construction management plan to be provided prior to determination.
22. Private parking areas to be provided.
23. Travel Plan to be provided.
24. Structural details provided for retaining walls adjacent to the highway/

2. Secure a S106 agreement to cover the following matters:
 - i. Financial contribution towards off-site improvement works along the Halifax Road.
 - ii. Management and maintenance of surface water features, prior to adoption.
3. Pursuant to point (2) above, in the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Planning and Development 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 Planning and Development 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 Pattison, Scott, Sokhal and S Hall (4 votes)

Against: Councillors Bellamy, D Firth and A Pinnock (3 votes)

8 Planning Application - Application no: 2020/90348

The Committee gave consideration to Planning Application 2020/90348 Erection of warehouse unit (B8) and alterations to Chapel Street land at, Chapel Street, Taylor Hill, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Jeremy Child (agent).

Strategic Planning Committee - 29 July 2020

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. Complete the list of conditions including those contained within the considered report including:
 1. Three-year time limit.
 2. To be undertaken in accordance with the plans.
 3. Contaminated land condition set, requiring investigation and appropriate remediation (pre-commencement).
 4. Landscaping strategy and management plan.
 5. Material samples to be provided.
 6. Goods vehicle movements and forklift trucks hours controlled.
 7. Waste storage area details provided, implemented and retained.
 8. Updated Landscape and Ecological Management Plan to be provided, prior to development commencing, for ecology, visual amenity and residential amenity.
 9. Works to be done in accordance with Bat Survey and Great Crested Newt Method Statement recommendations.
 10. Lighting strategy, for amenity and ecology.
 11. Remove PD rights for change of use to B1.
 12. Parking spaces to be provided.
 13. EV Charging Point
2. Secure a S106 agreement to cover the following matters:
 - i. Secure the management and maintenance arrangement covenant for the access
3. Pursuant to point (2) above, in the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Planning and Development 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 Planning and Development 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 Bellamy, D Firth, Pattison, A Pinnock, Scott, Sokhal and S Hall (7 votes)

Against: (0 votes)

Strategic Planning Committee - 29 July 2020

9 **Planning Application - Application no: 2019/93246**

The Committee gave consideration to Planning Application 2019/93246 Installation of 2 fibre cabins, twelve air conditioning units, two generators and perimeter fence Land to the south of Jack Lane, Dewsbury.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Nick Willock (on behalf of objectors), Lauren Knox (agent) and Stephen Moore (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36 (3) the Committee received a representation from Cllr Habiban Zaman (local ward member).

RESOLVED –

That consideration of the application be deferred to allow further discussions to take place between the applicant, the mosque and officers regarding the loss of the parking provision.

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

For: Councillors Bellamy, D Firth, Pattison, A Pinnock, Scott, Sokhal and S Hall (7 votes).

Against: (0 votes).

10 **Planning Application - Application no: 2019/93237**

The Committee gave consideration to Planning Application 2019/93237 Erection of stable block Springfield Farm, 15, Moorside, Cleckheaton.

RESOLVED –

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

1. Standard 3-year timeframe for commencement of development.
2. Development to be completed in accordance with the submitted plans and specifications.
3. The use of the stables restricted to the private use of the residents of Springfield Farm, 15 Moorside only.
4. The submission of a waste management scheme.

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

For: Councillors Bellamy, D Firth, Pattison, Sokhal and S Hall (5 votes).

Against: Councillors A Pinnock and Scott (2 votes).

11 Planning Application - Application no: 2020/90020

The Sub Committee gave consideration to Planning Application 2020/90020 Erection of two storey side extension and external alterations 9, Kirkstone Drive, Gomersal, Cleckheaton.

Under the provisions of Council Procedure Rule 36 (3) the Committee received a representation from Cllr Michelle Grainger-Mead (Local ward member).

RESOLVED –

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

1. Standard timeframe for implementation of development (3 years).
2. Development in accordance with the submitted plans.
3. External walls to be finished in stone to the front, render to the side and brick to the rear. Render to be of a similar colour to that on the host property and applied before the extension is first brought into use.
4. Roofing materials to match existing.
5. No new openings in the side elevation of the extension.

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

1. A vote to refuse the application.

For: Councillors Bellamy, D Firth and A Pinnock (3 votes).

Against: Councillors Pattison, Scott, Sokhal and S Hall (4 votes)

2. A vote to approve the application

For: Councillors Pattison, Scott, Sokhal and S Hall (4 votes)

Against: Councillors Bellamy, D Firth and A Pinnock (3 votes).

12 Planning Application - Application no: 2020/91191

The Sub Committee gave consideration to Planning Application 2020/91191 Installation of incline platform lift and associated works 65, Banks Road, Linthwaite, Huddersfield.

RESOLVED –

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

1. Time limit for commencement (3 years).
2. Works to be done in accordance with approved plans.

Strategic Planning Committee - 29 July 2020

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

For: Councillors Bellamy, D Firth, Pattison, A Pinnock, Scott, Sokhal and S Hall (7 votes)

Against: (0 votes)

13 **Planning Application - Application no: 2018/92309**

The Committee gave consideration to Planning Application 2018/92309 Reserved Matters application (pursuant to outline application 2016/93411) for residential development of 41 dwellings Land to rear of 125 Helme Lane, Meltham, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Graeme Haigh (agent), Alistair Flatman (on behalf of the applicant) and Richard Conroy (applicant).

Under the provisions of Council Procedure Rule 36 (3) the committee received a representation from Cllr Terry Lyons (Local ward member).

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. Complete the list of conditions including those contained within the considered report including:
 1. Development to be carried out in accordance with the approved plans and specifications.
 2. Submission of a Construction Management Plan.
 3. Submission of details relating to internal adoptable roads.
 4. Cycle parking provision to be provided within the site.
 5. Provision of visitor parking spaces.
 6. Specification of Electric Vehicle charging points.
 7. Details of surfacing and drainage of parking areas.
 8. Provision of waste storage and collection.
 9. Implementation of Arboricultural Method Statement.
 10. Details of additional tree works.
 11. Submission of Flood Risk and Drainage details.
 12. Crime prevention measures.
 13. Boundary treatments.
 14. External lighting.
 15. Full Landscaping scheme.
 16. Biodiversity enhancement, net gain and Ecological Design Strategy / Landscape and Ecological Management Plan.
 17. Removal of permitted development rights.

Strategic Planning Committee - 29 July 2020

2. Secure a Section 106 agreement to cover the following matters:
 - i. Affordable housing – six affordable housing units (four social rent, two discount market sale) to be provided in perpetuity.
 - ii. Open space – £62,742 contribution towards off-site provision.
 - iii. Education – £30,712 contribution.
 - iv. Sustainable transport – Measures to encourage the use of sustainable modes of transport, including a £40,000 contribution towards Meltham Greenway.
 - v. Management – The establishment of a management company for the management and maintenance of any land not within private curtilages or adopted by other parties, and of infrastructure (including surface water drainage until formally adopted by the statutory undertaker).
 - vi. Viability – Financial viability review mechanism to capture surplus in light of improved sales values.

3. Pursuant to point (2) above, in the circumstances where the Section 106 agreement has not been completed within three months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the mitigation and benefits that would have been secured; if so, the Head of Planning and Development 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 Bellamy, D Firth, Pattison, A Pinnock, Scott, Sokhal and S Hall (7 votes)

Against: (0 votes).