

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Wednesday 26th August 2020

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

Observers: Councillor Martyn Bolt

Apologies: Councillor Donald Firth

1 Membership of the Committee

Councillor Bill Armer substituted for Councillor Donald Firth

2 Minutes of the Previous Meeting

The minutes of the meetings held on 29 July 2020 and 5 August 2020 were approved as a correct record.

3 Interests and Lobbying

No interests or lobbying were declared.

4 Admission of the Public

All items on the agenda were taken in public session.

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations or petitions were received.

7 Planning Application - Application no: 2020/91629

The Committee gave consideration to Planning Application 2020/91629 Temporary use of site as a car park for a period of 3 years Land at, Southgate, 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:

Strategic Planning Committee - 26 August 2020

1. Temporary permission for three years.
2. Development carried out in accordance with the plans and specifications.
3. Details of a scheme of restoration to return the site to a condition to be agreed.
4. Car park management plan within one month of the permission or prior to its first use for match day/event parking, whichever is the sooner.
5. Provision and retention of visibility splays in accordance with the submitted plan.
6. Detailed landscape scheme within one month of the date of the permission.
7. Details of landscape management and maintenance within one month of the date of the permission, to include details of the watering system for the planters.
8. Details of measures to improve the appearance of the retained hoardings around the site within one month of the permission.
9. A scheme of Air Quality Mitigation Measures.
10. A strategy for the provision of electric vehicle charging points.
11. Implementation of lighting and CCTV prior to the first use of the car park.

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

For: Councillors Patterson, A Pinnock, Scott, Sokhal and S Hall (5 votes)

Against: 0 votes

Abstained: Councillors Armer and Bellamy

8 **Planning Application - Application no: 2020/91615**

The Committee gave consideration to Planning Application 2020/91615 Erection of single storey modular building Salendine Nook Academy Trust High School, New Hey Road, Salendine Nook, 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. Three years to commence development.
2. Approved plans and documents.
3. External materials.
4. The removal of the building (and land to be restored) should it no longer be needed.

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

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

Against: (0 votes).

9 Planning Application - Application no: 2020/91762

The committee gave consideration to Planning Application 2020/91762 Retention of garden shed (Listed Building within a Conservation Area) Kirkburton Hall, Penistone Road, Kirkburton, 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. Development in accordance with the approved plans.

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

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

Against: (0 votes)

10 Planning Application - Application no: 2019/90467

The committee gave consideration to Planning Application 2019/90467 Conversion of former college buildings into 33 apartments including demolition of link canopy, partial demolition of link building, erection of additional storey to link building, and internal and external alterations (Listed Building within a Conservation Area). Highfields Centre, New North 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:

- i. Complete the list of conditions including those contained within the considered report including:

1. Three years to commence development.
2. Development to be carried out in accordance with the approved plans and documents.
3. Submission of a Construction (Environmental) Management Plan (including temporary surface water drainage arrangements).
4. Submission of details of cycle parking.
5. Provision of electric vehicle charging points.
6. Submission of details of waste storage and collection.
7. Submission of details of crime prevention measures.
8. External materials (details and samples to be submitted).
9. Submission of details of windows and doors.
10. Submission of details of boundary treatments.
11. Submission of details of external lighting.
12. Submission of measures to protect residents from noise.

Strategic Planning Committee - 26 August 2020

13. Investigation of site (in relation to coal mining) and implementation of remedial work.
 14. Site contamination (four conditions).
 15. Submission of a full landscaping scheme.
 16. Implementation of bat mitigation measures.
 17. Implementation of biodiversity enhancement.
 18. Implementation of tree protection measures during construction.
- ii. Secure a Section 106 agreement to cover the following matters:
- 1) Sustainable transport – Measures to encourage the use of sustainable modes of transport including implementation of a Travel Plan and payment of £1,000 per year Travel Plan monitoring fees (for five years).
 - 2) 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).
- iii. 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 Armer, Pattison, A Pinnock, Scott, and S Hall (5 votes)

Against: (0 votes)

Abstained: Councillors Bellamy and Sokhal.

11 **Planning Application - Application no: 2019/92221**

The committee gave consideration to Planning Application 2019/92221 Outline application for demolition of existing buildings and erection of Class A1 retail unit, access, car parking, servicing, landscaping and associated works (all matters reserved other than access) Kenmore Caravans Ltd, 119, Huddersfield Road, Mirfield.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Keith Nutter (applicant).

Under the provisions of Council Procedure Rule 36 (3) the Committee received a representation from Councillor Martyn Bolt (ward member).

RESOLVED –

Strategic Planning Committee - 26 August 2020

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

- i. Complete the list of conditions including those contained within the considered report including:
 1. Details of the scale, layout, appearance and the landscaping of the site to be approved before any development commences.
 2. Development in accordance with the approved plans
 3. Application for approval of the reserved matters within three years of the date of the outline permission.
 4. Development to be begun within two years of the approval of the reserved matters (or in the case of approval on different dates the final approval of the last such matter).
 5. The net sales area of the store hereby permitted shall not exceed 1,254sqm, and the floor space devoted to the sale of comparison goods within this net sales area shall not exceed 20% of the net sales area.
 6. Detailed design for the proposed works to Huddersfield Road (including right turn lane and pedestrian refuges).
 7. Detailed parking layout at reserved matters stage.
 8. Details of scheme for provision of electric vehicle charging points.
 9. Travel Plan. 10. Construction management plan. 11. Contaminated land conditions (Phase 2 report, remediation strategy, validation report). 12. Details of security measures to be incorporated into the development. 13. Air Quality Impact Assessment including calculating the monetary damages from the development. 14. Detailed scheme for ecological mitigation and enhancement. 15. Detailed drainage design. 16. Details of flow routing for surface water as part of the proposed layout at reserved matters. 17. Restriction on stand-off distances from any new building to the sewers within the site, in line with Yorkshire Water recommendation. 18. Restriction on opening hours to 07:00 to 22:00 Monday to Saturday and any six hours between 09:00 and 18:00 on Sundays. 19. Restriction on servicing/deliveries to 07:00 to 23:00 Monday to Saturday and 08:00 to 22:00 on Sundays. 20. Details of mechanical plant to be installed. 21. Details of external lighting to be installed.
- ii. Secure a Section 106 agreement to cover the following matters:
 1. £8,400 contribution towards blue-tooth detectors at the Huddersfield Road/Station Road traffic signalled junction.
 2. £23,000 contribution towards the upgrade of bus stop numbers 15150 and 15152 on Huddersfield Road.
 3. Travel Plan monitoring fee (£10,000)
- iii. 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

Strategic Planning Committee - 26 August 2020

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, A Pinnock, Scott, Sokhal and S Hall (5 votes).

Against: Councillor Bellamy (1 vote)

Abstained: Councillor Bill Armer

12 **Planning Application - Application no: 2020/90436**

The committee gave consideration to Planning Application 2020/90436 Outline application for the demolition of 1no. dwelling house and the erection of residential development and associated works with details for access Land adj, 115, Westfield Lane, Wyke.

RESOLVED –

That consideration of the application be deferred in order to allow officers and the applicant an opportunity to discuss the option of developing the site without demolishing the existing dwelling.

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

For: Councillors Armer, Bellamy, A Pinnock, Scott, Sokhal and S Hall (6 votes).

Against: (0 votes)

Abstained: Councillor Patterson

13 **Planning Application - Application no: 2020/90609**

The committee gave consideration to Planning Application 2020/90609 Erection of detached car port and store (Listed Building within a Conservation Area) Tolson Cottage, Dean Brook Road, Armitage Bridge, Huddersfield.

RESOLVED –

That the application be refused in line with the following reasons set out in the considered report.

1. The proposed erection of a car port and store, and the formation of additional amenity space, would both by their nature be inappropriate development within the green belt. The proposed development would materially harm the openness of the green belt, and very special circumstances to justify why the proposed development should be allowed in this instance have not been demonstrated. The proposal is therefore contrary to the aims of Chapter 13 (paragraphs 143 to 145) of the National Planning Policy Framework, and Policy LP58 of the Kirklees Local Plan.

Strategic Planning Committee - 26 August 2020

2. The proposed development would give rise to a further domestication of this part of the Armitage Bridge Conservation Area, which has historically been undeveloped, and would interrupt long-range views from Armitage Road into the fields beyond the site boundary, which are considered valuable to the character of the conservation area. It would thereby cause harm to the character of the conservation area, and although this is considered less than substantial, no public benefit has been demonstrated to justify the harm caused. The proposal is therefore contrary to the aims of Policy LP35 of the Kirklees Local Plan and Chapter 16 (paragraphs 195 to 196) of the National Planning Policy Framework.

3. The proposed development would involve substantial excavation within the root zone of a mature tree which is considered to be of significant amenity value, thereby jeopardising its long-term viability, contrary to the aims of Policy LP33 of the Kirklees Local Plan.

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

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

Against: (0 votes)