

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Wednesday 16th September 2020

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

Observers: Councillor Paul Davies
Councillor Erin Hill
Councillor Manisha Kaushik
Councillor Terry Lyons

1 Membership of the Committee

Councillor Thompson substituted for Councillor Bellamy.

2 Minutes of the Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 26 August 2020 be approved as a correct record.

3 Interests and Lobbying

Councillor A Pinnock advised that he had been lobbied on Agenda Item 8 (Proposed Stopping Up of Highway at Holmfirth Footpath 60).

Councillors S Hall and Pattison advised that they had been lobbied on Application 2019/93550.

Councillors S Hall and A Pinnock advised that they had been lobbied on Application 2020/91488.

4 Admission of the Public

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

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations or petitions were received.

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7 **Council stance on the Department for Transport draft order: Y&H/4337 - Proposed stopping up of highway at Holmfirth footpath 60, Wolfstones Road, Holmfirth (Town & Country Planning Act 1990, Section 247)**

The Committee were asked to give consideration to the Council's stance on a draft order made by the Department for Transport (Y&H/4337 – Proposed stopping up of highway at Holmfirth footpath 60, Wolfstones Road, Holmfirth, HD9 3UU – Town and Country Planning Act 1990, Section 247), which would stop up part of public footpath Holmfirth 60 and provide an alternative route.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Malcom Sizer (on behalf of Holmfirth Harriers) and Oliver Taylor (on behalf of Huddersfield Ramblers).

Under the provisions of Council Procedure Rule 36(3), the Committee received representations from Cllr Paul Davies (ward member) and Cllr Terry Lyons (Chair of Huddersfield Planning Sub Committee).

RESOLVED - That the Council object to the Town & Country Planning Act 1990 section 247 draft order and oppose the public footpath proposal in the Secretary of State's determination.

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

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

Against: (no votes)

8 **Planning Application - Application No: 2019/93550**

The Committee gave consideration to Application 2019/93550 – Erection of 250 dwellings at land east and west of Netherton Moor Road, Netherton, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Jason McCartney MP and Barbara Dixon, Alison Brown, Ian McCullie, Peter Kiernan, Rachel Hunter, Alison Proud, John Hunter and Craig Scargill (local residents) and Rosie Allsop (applicant's agent).

Under the provisions of Council Procedure Rule 36(3), the Committee received representations from Cllr Hill and Cllr Kaushik (ward members).

RESOLVED –

- 1) That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;
 - time limit to implement the permission (3 years)
 - development to be provided in accordance with the approved plans
 - approval of facing materials
 - full details of hard and soft landscaping including a detailed planting schedule for the buffer planting to the north eastern boundary and details of the internal boundary treatment for the gardens which have a rear access path

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- construction management plan/s to mitigate the impact of construction on highway safety and amenity
- development to be carried out in accordance with the submitted aboricultural statement
- scheme of archaeological investigation and recording
- temporary drainage scheme for the construction phase
- detailed design of the proposed surface water drainage strategy
- construction details for the upgrade of Netherton Moor Road including the proposed new footway provision
- detailed design of the new junctions off Netherton Moor Road
- provision of the proposed visibility splays at the new junctions off Netherton Moor Road
- detailed design of the internal estate roads
- detailed design of all highway retaining structures
- full travel plan
- landscape and ecological management plan
- details of bin stores to front of plots
- reporting of unexpected contamination and remediation as necessary
- electric vehicle recharging points (1 per dwelling)
- noise mitigation measures for plot 250
- obscure-glazing to upper floor side elevation windows for those plots immediately adjacent to the north eastern boundary
- details of measures to improve the defensible space to plots 103 and 181

2) That authority be delegated to the Head of Planning and Development to secure a S106 Agreement to cover (i) affordable housing (50 dwellings on-site as per the submitted layout with a tenure split of 28 social or affordable rented dwellings and 22 intermediate dwellings) (ii) education contribution towards primary provision (£617,768) (iii) off-site open space contribution to upgrade existing facilities in Netherton (£243,096) (iv) sustainable travel fund including a contribution towards the provision of two bus shelters (£153,875) (v) travel plan monitoring fee (£15,000) (vi) £125,000 contribution towards the delivery of the proposed core walking and cycling network within the vicinity of the site (the Meltham Greenway) (vii) maintenance and management arrangements for the areas of public open space and landscaping within the site and any other areas not falling within private curtilage (viii) future maintenance and management arrangements for the surface water drainage infrastructure within the site

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 Planning and development 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 S Hall, Pattison and Scott (3 votes)

Against: Councillors D Firth and Sokhal (2 votes)

Abstained: Councillor A Pinnock

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9 **Planning Application - Application No: 2020/91488**

The Committee gave consideration to Application 2020/91488 – Reserved matters application pursuant to outline permission 2016/92298 outline application for redevelopment of former waste water treatment works following the demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) (Phase 1) to include the discharge of conditions 6 (BEMP), 17 (site investigations), 18 (tree survey), 19 (PROW), 29 (noise attenuation) and 31 (electric vehicle charging points) at former North Bierley Waste Water Treatment Works, Oakenshaw.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Charlie Brown (local resident), Cllr Alan Wainwright (Tong Ward Councillor), Ryan Unsworth (applicant) and John Brooks (agent).

RESOLVED – That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including (i) matters relating to the development being in accordance with approved plans and phase 1 to be completed in accordance with the advice and directions (recommendations) contained within the aboriginal method statement (ii) the discharge of conditions 6, 17, 18, 29 and 31 of the permission and (iii) the omission of condition 19 relating to PROW.

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

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

Against: Councillor A Pinnock (1 vote)

10 **Planning Application - Application No: 2020/90436**

The Committee gave consideration to 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 at land adjacent to 115 Westfield Lane, Wyke.

Under the provisions of Council Procedure Rule 37, the Committee received a representation of Andrew Stoddart (applicant).

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

- approval of Reserved Matters details of appearance, landscaping, layout and scale to be sought before development commences
- plans and particulars relating to Reserved Matters details of Appearance, landscaping, layout and scale to be submitted and approved in writing
- application for Reserved Matters to be submitted within three years
- time limit for commencing development
- development to be carried out in accordance with approved plans and specifications
- full detailed design for drainage including pipe and manhole schedule
- full detailed design of site levels including flow routing from the site including

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- consideration of overland flow paths from drainage and gully bypass
- full details of the proposed means of managing surface water during the construction including silt management to prevent blocking up of drainage systems
- 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)
- the site shall be developed with separate systems of drainage for foul and surface water on and off site
- a comprehensive schedule of hard and soft landscaping and a maintenance plan shall be submitted, to and approved in writing by, the Local Planning Authority
- provision of an arboricultural impact assessment and method statement, in accordance with BS 5837
- submission of an Ecological Impact Assessment (EclA) with demonstration how the proposals will deliver a measurable biodiversity net gain of at least 10%
- submission of a Bat Activity Survey if in the event that an application for reserved matters is not made within 2 years of the date of the survey undertaken on the 26th May 2020
- submission of a Phase 1 Preliminary Risk Assessment Report.
- submission of a Phase 2 Intrusive Site Investigation Report.
- submission of a Remediation Strategy
- implementation of a Remediation Strategy
- submission of a Validation Report
- provision of Electric Vehicle Charging Points
- details securing appropriate width of Public Right of Way (Public footpath Spenborough 31)
- affordable housing contribution if over 11 or more dwelling units
- public open space contribution
- suitable storage, bin presentation points and access for collection of wastes from the dwellings
- details of temporary waste collection arrangements to serve occupants of completed dwellings whilst the remaining site is under construction
- provision of sightlines of 2.4m x 43m that are free from obstructions, exceeding 1m in height
- point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site
- provision of details of retaining walls and features adjacent to the existing/ proposed adoptable highways
- proposed design and construction details for all new surface water attenuation tanks/pipes/manholes located within the proposed highway footprint
- access to serve a maximum of 15 dwelling units
- within first three months of any part of development being brought into use, a travel plan shall be submitted and approved in writing by Local Planning Authority

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- sustainable travel contribution
- details of access and internal road layout (to an adoptable standard) to be submitted to and approved in writing
- coal mining legacy – the undertaking of an appropriate scheme of intrusive site investigations; submission of a report of findings arising from the intrusive site investigations; submission of a scheme of remedial works for approval and implementation of those remedial works
- submission of a Construction Environmental Management Plan which shall include details of actions that will be taken to minimise adverse impacts on occupiers of nearby properties

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

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

Against: Councillor A Pinnock (1 vote)