

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Wednesday 14th October 2020

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

1 Membership of the Committee

Councillor Armer substituted for Councillor D Firth.

2 Minutes of the Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 16 September 2020 be approved as a correct record.

3 Interests and Lobbying

All Committee Members advised that they had been lobbied on Application 2019/91467.

Councillor A Pinnock advised that he had been lobbied on Application 2019/91388.

Councillor S Hall advised that he had been lobbied on Application 2020/91781.

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 Planning Application - Application No: 2019/91467

The Committee gave consideration to Application 2019/91467 – Erection of 67 dwellings with associated access and parking land south of Granny Lane, Mirfield.

RESOLVED – That the consideration of the application be deferred to enable further information regarding surface water to be assessed and for consultation to take place with the Lead Local Flood Authority.

Strategic Planning Committee - 14 October 2020

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

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

Against: (no votes)

8 **Planning Application - Application No: 2020/91781**

The Committee gave consideration to Application 2020/91781 – Erection of raised decking to rear of 831 Bradford Road, East Bierley.

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 the development being in accordance with written plans.

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

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

Against: (no votes)

9 **Planning Application - Application No: 2019/91388**

The application was withdrawn on 12 October 2020 (prior to the meeting).

10 **Planning Application - Application No: 2020/90942**

The Committee gave consideration to Application 2020/90942 – Erection of 30 dwellings and associated works at land at Ainley Top, Yew Tree Road and Burn Road, Birchencliffe, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Josh Brear (on behalf of the 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;

- time limit (three years)
- development in accordance with approved plans
- development in accordance with previously approved phasing plan
- development carried out in accordance with previously approved construction management plan
- off-site highway works provided in accordance with previously approved phasing
- development carried out in accordance with previously approved temporary drainage scheme
- facing materials for the development as previously approved
- electric vehicle charging point for each dwelling
- scheme for ecological mitigation that is consistent with the previously approved development

Strategic Planning Committee - 14 October 2020

- development carried out in accordance with approved surface water drainage scheme
- development in accordance with previously approved travel plan
- parking areas to be surfaced and drained
- remediation of the site carried out in accordance with the previously approved scheme
- noise mitigation measures incorporated in line with the previously approved noise report
- two ground floor tax windows to be added to north facing side wall of plot 51
- details of security lighting scheme
- revised boundary treatment details for the rear access passageways to the terraced dwellings
- revised details of the location of rear access gates to the side of dwellings

2) That authority be delegated to the Head of Planning and Development to secure a supplemental S106 Agreement to cover (i) two affordable dwellings on-site with a tenure split of one intermediate and one social rented (ii) education contribution - £24,710 (iii) open space contribution - £9,473 (iv) off-site highway contribution for junction improvements to Halifax Road/East Street junction - £7,894 (v) metro cards - £2,456 and (vi) arrangements for future maintenance and management of surface water drainage infrastructure.

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

Against: (no votes)

11 **Planning Application - Application No: 2019/92075**

The Committee gave consideration to Application 2019/92075 – Extension of mineral extraction and subsequent restoration by means of infill at Hillhouse Edge Quarry, Cartworth Moor Road, Holmfirth.

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;

- period of mineral extraction (to cease by 31 December 2028) and completion of site restoration (by 31 December 2030)
- prior cessation measures to deal with restoration and aftercare in the event that mineral extraction is abandoned/ceases
- requirement to have all approved documents on site for the duration of operations

Strategic Planning Committee - 14 October 2020

- operational plans and working schemes
- restrictions on numbers of heavy vehicle movements (to not exceed 8 in any one day)
- HGV wheels and chassis to be clean before entering highway
- all HGVs leaving the site to be sheeted
- 6 monthly walkover inspections to be carried out or at the time of emergence issues being raised, of the hillslope west of the application site, to monitor spring flow and emergences
- in the event where increased flows are recorded, it would be necessary for details to be submitted and accompanied by a management plan
- screen bunds to be constructed using on site material only as per submitted details
- all top soils and subsoil to be stripped and stored prior to mineral excavation
- plant of vehicles not to cross unstripped areas of the site
- following soil stripping the MPA to be advised of volumes of topsoil and subsoil
- MPA to be given at least 7 days' notice prior to soil stripping operations
- soils storage mound to be maintained and in good condition
- requirement to notify MPA involving commencement of works involving site preparation, entering a new phase, completion of backfill, completion of phased restoration, completion of final restoration
- restriction of depth and extent of mineral workings in accordance with plan no.10172/5 titled 'cross sections'
- submission of progressive restoration scheme for the remaining site
- submission of soft landscaping details
- no overburden to be removed from the site or stored above ground level
- site to be progressively restored
- subsoil and top soil to be spread at specific depths and to be worked to provide a satisfactory medium for planting
- the MPA to be given 7 days' notice prior to the spreading of sub soil or top soil
- any area of grass seeding fails, it will be re-seeded within the next available planting season
- all site infrastructure to be removed and associated land reinstated following final restoration of the site
- hours for operation of the quarry in accordance with those suggested by environmental services (to be agreed by the applicant)
- site operations to comply with stipulated noise levels at site boundary
- site to operate in accordance with dust management scheme to be submitted and approved
- no use of explosives on site
- reporting of unexpected contamination
- requirement to provide an outline aftercare scheme
- requirement to provide a detailed annual aftercare scheme
- requirement to arrange an annual aftercare meeting
- management plan of the restored agricultural land to target notable species (such as golden plovers) through a specified cutting/grazing regime

Strategic Planning Committee - 14 October 2020

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

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

Against: (no votes)

12 **Planning Application - Application No: 2019/92617**

The Committee gave consideration to Application 2019/92617 – Variation of condition 3 (schemes and plans) on previous permission 2015/90531 for variation of condition 3 (schemes and plans) on previous permission 2013/93800 for variation conditions 3, 4 and 34 and removal of condition 14 on previous permission 2002/90557 for extraction of sandstone, associated ancillary activities, restoration by means of infill with overburden and inert waste at Hillhouse Edge Quarry, Cartworth Moor Road, Cartworth Moor, Holmfirth.

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;

- requirement to have all approved documents on site for the duration of operations
- time limit - mineral extraction to cease and site to be restored by 31/12/2028
- working and restoration to be carried out in accordance with submitted plans
- prior cessation measures to deal with restoration and aftercare in the event that mineral extraction ceases
- access and egress shall be from existing quarry access
- all commercial vehicles leaving site shall have their wheels and chassis cleaned to prevent material being deposited on the highway
- the total number of vehicle movements, including access to and egress from the site shall not exceed 8 in any one day
- all loaded vehicles leaving the site to be sheeted
- existing signage advising drivers shall be maintained in good order and continue to be displayed
- current quarry access which adjoins Cartworth Moor Road shall be maintained in good order
- depth of working in accordance with approved drawing no. C6299/3, 'Maximum Excavation Plan'
- working programme, phasing and direction of working in accordance with submitted plans
- water protection and pollution prevention conditions as per 2015 permission
- no more than 5, 000 tonnes of aggregate and/or walling stone produced at the quarry shall be exported from the said quarry per calendar year
- a strip of land having a minimum width of 3 metres shall remain unworked inside the dry stone walls on the boundary of the site
- no waste, mineral or soils shall be stockpiled nor fixed plant located above the original level of the ground
- there shall be no screening or crushing or any other processing of rock in the quarry area indicated by the solid red line on drawing no. C6299/2b
- soil stripping/replacement & movement of topsoil /subsoil conditions from 2015 permission (where relevant)

Strategic Planning Committee - 14 October 2020

- restoration details to be submitted in accordance with details to be approved (i.e soft landscaping, removal of plant, buildings, structures, machinery, and haul roads, land drainage)
- soil replacement during restoration
- protection of amenity
- dust suppression measures
- withdrawal of permitted development rights
- a management plan of the restored agricultural land to target notable species
- aftercare scheme for 5 years
- requirement to provide an outline aftercare scheme, a detailed annual aftercare scheme & requirement to arrange an annual aftercare meeting
- the Mineral Planning Authority shall be notified in writing of any artefact or feature of archaeological or geological interest encountered on the site

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

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

Against: (no votes)

13 **Planning Application - Application No: 2019/92618**

The Committee gave consideration to Application 2019/92618 – Variation of condition 3 (restoration land levels) on previous permission 2013/93798 for variation of conditions 2, 3 and 32 and removal of condition 14 on previous permission 2002/90706 for variation of conditions 3, 11, 12 and 13 on previous permission HO/77/A Hillhouse Edge Quarry, Cartworth Moor Road, Cartworth Moor, Holmfirth.

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;

- requirement to have all approved documents on site for the duration of operations
- time limit - mineral extraction to cease and site to be restored by 31/12/2028
- working and restoration to be carried out in accordance with submitted plans
- prior cessation measures to deal with restoration and aftercare in the event that mineral extraction ceases
- access and egress shall be from existing quarry access
- all commercial vehicles leaving site shall have their wheels and chassis cleaned to prevent material being deposited on the highway
- the total number of vehicle movements, including access to and egress from the site shall not exceed 8 in any one day
- all loaded vehicles leaving the site to be sheeted
- existing signage advising drivers shall be maintained in good order and continue to be displayed
- current quarry access which adjoins Cartworth Moor Road shall be maintained in good order
- depth of working in accordance with approved drawing no. C6299/3, 'Maximum Excavation Plan'

Strategic Planning Committee - 14 October 2020

- working programme, phasing and direction of working in accordance with submitted plans
- water protection and pollution prevention conditions as per 2013 permission
- no more than 5,000 tonnes of aggregate and/or walling stone produced at the quarry shall be exported from the said quarry per calendar year
- a strip of land having a minimum width of 3 metres shall remain unworked inside the dry stone walls on the boundary of the site
- no waste, mineral or soils shall be stockpiled nor fixed plant located above the original level of the ground
- there shall be no screening or crushing or any other processing of rock in the quarry area indicated by a solid red line on drawing no. C6299/2b
- soil stripping/replacement & movement of topsoil /subsoil conditions from 2013 permission (where relevant)
- restoration details to be submitted in accordance with details to be approved (i.e soft landscaping, removal of plant, buildings, structures, machinery, and haul roads, land drainage)
- soil replacement during restoration
- protection of amenity
- dust suppression measures
- withdrawal of permitted development rights
- a management plan of the restored agricultural land to target notable species
- aftercare scheme for 5 years
- requirement to provide an outline aftercare scheme, a detailed annual aftercare scheme and requirement to arrange an annual aftercare meeting
- the Mineral Planning Authority shall be notified in writing of any artefact or feature of archaeological or geological interest encountered on the site

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

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

Against: (no votes)

14 **Planning Application - Application No: 2020/91542**

The Committee gave consideration to Application 2020/91542 – Change of use and regrading of land to form car park and seating area at Boot and Shoe Inn, St Georges Road, Scholes, Holmfirth.

RESOLVED – That the application be refused on the grounds that (i) the proposed development would introduce a new noise source into a quiet area of Scholes (ii) the noise source would be particularly harmful to the living conditions of occupants of existing properties given the close proximity to neighbouring residential dwellings and the nature of the use of the site (for vehicles and customers visiting the public house) and (iii) the noise source would cause disturbance and loss of amenity to neighbouring properties, and would therefore be contrary to Policy LP24(b) of the Kirklees Local Plan, and Paragraph 127 of the National Planning Policy Framework.

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

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

Strategic Planning Committee - 14 October 2020

Against: (no votes)

Abstained: Councillors Armer, Bellamy and Pattison