

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Wednesday 28th October 2020

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

Observers: Councillor Andrew Cooper
Councillor Paola Davies
Councillor Donald Firth
Councillor Eric Firth
Councillor Susan Lee-Richards
Councillor Aleks Lukic
Councillor Bernard McGuin
Councillor Alison Munro

1 Membership of the Committee

The Conservative Group vacancy was taken by Councillor Patrick.

2 Interests and Lobbying

Councillor Sokhal declared an 'other interest' in application 2020/91376 on the grounds that he was a trustee of Kirklees Active Leisure.

Councillors Scott and S Hall declared that they had been lobbied on applications 2019/93246 and 2019/92787.

Councillors Bellamy, S Hall, A Pinnock and Scott declared that they had been lobbied on application 2018/93591.

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 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 Chris Bradshaw (agent) and Steve Moore (applicant).

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 3-year timeframe for commencement of development.
2. Development to be completed in accordance with the submitted plans and specifications.
3. Noise Report.
4. Construction Management Plan.
5. Scheme of tree planting.

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

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

Against: (0 votes).

7 Planning Application - Application No: 2020/91376

The Committee gave consideration to Planning Application 2020/91376 Erection of D2 (leisure building) and B1c /B8 (starter unit/trade counter building) Land adj, 260, Bradford Road, Batley.

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 (3 years).
2. Development in accordance with plans.
3. Materials as shown on submitted plans.
4. PEA to be submitted.
5. Lighting strategy to be submitted.
6. Development to be in accordance with FRA.
7. Pre commencement flood evacuation plan.
8. Electric vehicle charging points.
9. Contaminated land conditions.

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10. requirement for site to be developed with separate systems of drainage for foul and surface water on and off site.
11. pre commencement surface water drainage scheme to be provided.
12. noise report to assess impact on noise sensitive premises.

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

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

Against: (0 votes).

Abstained: Councillor Sokhal

8 **Planning Application - Application No: 2018/93591**

The Committee gave consideration to Planning Application 2018/93591 Erection of restaurant/café/bar, six guest rooms, exhibition/interpretation room, WCs, terrace, car parking and ancillary accommodation (within the curtilage of a Listed Building) Victoria Tower, Lumb Lane, Castle Hill, Almondbury, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Heather Peacock, Martin Kilburn and Gloria Humphries (objectors) and Tim Robinson and Malcolm Sizer (in support).

Under the provisions of Council Procedure Rule 36 (3) the Committee received representations from Cllrs Alison Munro, Bernard McGuin, Paola Davies, Susan Lee-Richards, Andrew Cooper and Donald Firth.

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 and the update list including:
 1. Three years to commence development.
 2. Development to be carried out in accordance with the approved plans and specifications.
 3. Submission of a Construction Management Plan.
 4. Restriction of restaurant/café/bar covers to 70: On Saturdays and Sundays the total number of restaurant/café/bar customers (including customers using the outdoor terrace) shall at no time exceed 70 without the prior written approval of the Local Planning Authority, and all customers shall pre-book online.
 5. Restriction on weddings and functions: The development hereby approved shall not be used for wedding receptions or other functions without the prior written approval of the Local Planning Authority.
 6. Restaurant/café/bar use not to commence until publicly-accessible WCs and interpretation room are operational: The restaurant/café/bar use hereby approved shall not be brought into use until the WCs and interpretation room are fully

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operational and open to the public in accordance with a management plan to be submitted to and approved in writing by the Local Planning Authority. The WCs and interpretation room shall thereafter be open to the public and managed in accordance with the management plan so approved.

7. School and group visits by coach to be restricted to Mondays to Fridays: School classes and other groups travelling to the site by coach shall only visit the site on Mondays to Fridays, and shall not visit by coach on Saturdays or Sundays.

8. Submission of details of passing places and traffic calming prior to commencement of works, and implementation prior to commencement of use: Prior to the commencement of development, a scheme detailing passing places and traffic calming shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the design of the passing places and traffic calming on the existing access road, and the means by which these highway works to are to be carried out. The scheme shall include all aspects of temporary traffic management, a schedule of works, and safety arrangements for all users of the public highway. Unless otherwise agreed in writing by the Local Planning Authority all construction works shall be in accordance with the approved scheme. The scheme shall be completed in full prior to the restaurant/café/bar use hereby approved is brought into use.

9. Submission of details of hard surfacing and drainage of car park.

10. Completion of car park prior to occupation.

11. Cycle parking provision to be provided within the site.

12. Provision of Electric Vehicle charging points.

13. Provision of waste storage and collection.

14. Restricted opening hours of restaurant/café/bar, to close at 23:00.

15. Submission of a remediation strategy should unexpected contamination be found.

16. Submission of a validation report.

17. Submission of details of interpretation boards.

18. Submission of drainage strategy and details of foul water disposal.

19. Site to be developed with separate systems of drainage for foul and surface water on and off site.

20. No piped discharge of surface water from the development prior to the completion of surface water drainage works.

21. Crime prevention measures.

22. Submission of further archaeological investigation and impact assessment: Prior to the commencement of development, a written scheme of archaeological investigation (WSI) shall be submitted to approved in writing by the Local Planning Authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include a statement of significance and research objectives, and: • The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works. • The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI. The development shall be carried out in accordance with the WSI so approved.

23. Imported soil to be archaeologically sterile.

24. External materials.

25. Boundary treatments.

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26. External lighting.
27. No external plant, CCTV or other accretions to be installed without prior approval.
28. Submission of a full landscaping scheme.
29. Submission of a Landscape and Ecological Management Plan.
30. Biodiversity enhancement and net gain.
31. The submission of a scheme for the treatment of PROWs.

2. To secure a Section 106 agreement to cover the following matters:

- 1) Sustainable transport – Measures to encourage the use of sustainable modes of transport, including the implementation of a Travel Plan, and monitoring fees of £10,000.
- 2) Highway works – Creation of passing places and erection of signage to the lane from Castle Hill Side to the car park.
- 3) Management – Implementation of a management plan for the exhibition/interpretation room and WCs (including the securing of public access without charge), and management of any new infrastructure (including surface water drainage until formally adopted by the statutory undertaker). Public use of the proposed interpretation room to be provided without charge between the hours of 09:00 and 21:00 Monday to Friday, and by appointment at other times
- 4) Biodiversity – Contribution (amount to be confirmed) towards off-site measures to achieve biodiversity net gain.

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:

A vote for refusal.

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

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

A vote to approve the application (in line with officers recommendation).

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

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

9 Planning Application - Application No: 2019/92787

The Committee gave consideration to Planning Application 2019/92787 Erection of 280 dwellings with open space, landscaping and associated infrastructure Land at Owl Lane, Chidswell, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Mark Eastwood MP and Mark Lewis (on behalf of the Chidswell Action Group) who objected to the application and Paul Butler (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36 (3) the committee received representations from Cllrs Eric Firth and Aleks Lukic (ward members).

RESOLVED –

That consideration of the application be deferred to provide officers and the applicant with an opportunity to submit further information to address a number of concerns highlighted by the Committee including issues relating to: highways; drainage; affordable housing; unit sizes; noise mitigation measures; light pollution; air quality; ground conditions; biodiversity; approach to apprenticeships; and maintenance of open space and hedgerows.

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

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

Against: (0 votes).