

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Wednesday 31st March 2021

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

Observers: Councillor Donald Firth
Councillor John Taylor

1 Membership of the Committee

All members of the Committee were present.

2 Minutes of the Previous Meeting

The minutes of the meeting of the Committee held on 24 February 2021 were approved as a correct record.

3 Declaration of Interests and Lobbying

Cllr Patrick declared another interest in applications 2020/93358 and 2018/93676 on the grounds that the applicants were connected to the forthcoming Mayor's charity.

Cllr Pattison declared another interest in application 2020/93358 on the grounds that her son lives adjacent to the development site.

Cllrs Bellamy, S Hall, Pattison, A Pinnock, Sokhal and Walker declared that they had been lobbied on application 2020/93358.

Cllrs S Hall, Pattison, A Pinnock, Sokhal and Walker declared that they had been lobbied on pre- application 2021/20084.

4 Admission of the Public

All items on the agenda were taken in public.

5 Deputations/Petitions

No deputations or petitions were received.

6 A Review of Planning Appeal Decisions

The report was noted.

Strategic Planning Committee - 31 March 2021

7 **Planning Applications**

The Committee considered the following schedule of Planning Applications.

8 **Planning Application - Application No: 2020/93358**

The Committee gave consideration to Planning Application 2020/93358 Erection of 52 dwellings Land east of, Abbey Road, Shepley, Huddersfield.

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

Under the provisions of Council Procedure Rule 36 (3) the committee received a representation from councillor John Taylor (ward member).

RESOLVED –

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

1. 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. Provision of visibility splays.
 5. Submission of details relating to internal adoptable roads.
 6. Submission of a Full Travel Plan.
 7. Submission of a Road Safety Audit.
 8. Submission of details of surfacing and drainage of parking spaces.
 9. Submission of details of highways structures.
 10. Cycle parking provision prior to occupation.
 11. Provision of electric vehicle charging points (one charging point per dwelling with dedicated parking).
 12. Submission of temporary waste storage and collection.
 13. Submission of details of any retaining walls.
 14. Submission of drainage details (including off site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, existing drainage to be maintained/diverted/abandoned, and percolation tests, where appropriate).
 15. The site shall be developed with separate systems of drainage for foul and surface water on and off site
 16. Submission of a scheme detailing the piping of the watercourse at the point(s) of access or within the site.
 17. The development shall only be carried out in accordance with the approved Flood Risk Assessment.
 18. Submission of an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events, on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area, in both directions.

Strategic Planning Committee - 31 March 2021

19. Submission of a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip).
20. Submission of a scheme of intrusive site investigations and any remediation works and/or mitigation measures to address land stability.
21. Submission of a noise impact assessment with the necessary mitigation measures for identified dwelling plots.
22. Submission of an intrusive site investigation report (phase II report).
23. Submission of a remediation strategy.
24. Submission of a validation report.
25. Submission of site investigation and remediation works to address risks posed to the development by past coal mining activity.
26. Submission of details of sound insulation measures.
27. Submission of details of crime prevention measures.
28. External materials (details and samples to be submitted).
29. Submission of details of boundary treatments.
30. Submission of details of external lighting.
31. Submission of a full landscaping scheme and Landscape and Ecological Management Plan.
32. Restriction on removal of trees and hedgerows during nesting season.
33. Removal of permitted development rights for extensions and outbuildings for plots 36-45 and 72-73.

2. Secure the signing of a Section 106 Agreement (giving due consideration to the planning obligations secured within the Section 106 Agreement for planning application reference: 2019/91569) to cover the following matters:

- 1) Affordable housing – 10 affordable dwelling houses of which 5 dwelling houses (1- bed) would be starter homes, 2 dwelling houses (2-bed) would be discounted sale and 3 dwelling houses (1-bed) would be for social/affordable rent.
- 2) Education – £64,537 towards schools within the locality of Kirkburton.
- 3) Sustainable transport – Measures to encourage the use of sustainable modes of transport, including a £35,240.92 financial contribution, and £10,000 towards Travel Plan monitoring.
- 4) Open space – £62,073 contribution towards off-site provision.
- 5) Biodiversity – £43,400 contribution towards off-site measures to achieve biodiversity net gain.
- 6) 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).
- 7) Adjacent land – Agreement to allow vehicular connection to the adjacent land (within allocated site HS203) without unreasonable hindrance.

3. Pursuant to (2) above, in circumstances where the Section 106 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 and, if so, the Head of Planning and Development is authorised to determine the application and impose appropriate reasons for refusal under delegated powers.

Strategic Planning Committee - 31 March 2021

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

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

Against: (0 votes).

9 **Planning Application - Application No: 2018/93676**

The committee gave consideration to Planning Application 2018/93676 Infill of land and formation of access and turning facilities, temporary fence and restoration to agricultural use Land North West, Hog Close Lane, Holmfirth.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Paul Bailey, Danny Watson and Darren Crossland (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36 (3) the committee received a representation from councillor Donald Firth (ward member).

RESOLVED –

That consideration of the application be deferred for the following reasons:

- To allow for the submission of a Waste Needs Assessment; and
- To provide details of an enhanced landscaping scheme.

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

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

Against: (0 votes).

10 **Report - Planning Application 2020/90450**

The Committee gave consideration to the report that detailed the reasons for the Committee's refusal of application 2020/90450 - Erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works. land at, Owl Lane, John Ormsby V C Way, Shaw Cross, Dewsbury and outlined the evidence base for each reason.

RESOLVED –

Delegate refusal of the application and the issuing of the decision notice to the Head of Planning and Development for the following reason outlined in the planning update report:

The addition of the proposed restaurant and drive thru, in an area where there are higher levels of deprivation combined with high levels of overweight or obese children and adults, would not be in the interests of ensuring healthy, active and

Strategic Planning Committee - 31 March 2021

safe lifestyles in so far as resisting the location of fast-food establishments in areas of poor health, contrary to Policy LP47 of the Kirklees Local Plan and the aims of Chapter 8 of the National Planning Policy Framework.

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

For: Councillors: Pattison, A Pinnock, Sokhal, Walker and S Hall (5 votes).

Against: Councillors: Bellamy and Patrick (2 votes).

- 11 Pre-Application report - Application No: 2020/20364**
That the contents of the pre-application report be noted.
- 12 Pre-Application report - Application No: 2021/20084**
That the contents of the pre-application report be noted.