

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Wednesday 16th December 2020

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 Martyn Bolt
Councillor Paola Antonia Davies
Councillor John Lawson
Councillor Bernard McGuin
Councillor Alison Munro

1 Membership of the Committee

It was noted that Councillor Rob Walker had been appointed to the Committee and Councillor Cathy Scott had ceased to be a Member.

2 Minutes of the Previous Meeting

RESOLVED –

That the Minutes of the meeting of the Committee held on 17 November 2020 be approved as a correct record.

3 Interests and Lobbying

All Members of the Committee advised that they had been lobbied in relation to the item concerning Planning Compliance and Conditions Monitoring at Mirfield 25, Leeds Road, Mirfield.

Councillors Bellamy, Hall, Patrick, Pattison, Andrew Pinnock and Walker advised that they had been lobbied in relation to Application 2020/92657.

Councillor Andrew Pinnock advised that he had discussed the site relevant to Application 2020/91746 with constituents, over a lengthy period, but had not expressed a fixed view and retained an open mind.

4 Admission of the Public

All items on the agenda were taken in public session.

Strategic Planning Committee - 16 December 2020

5 Public Question Time

A public question was asked in respect of the process for making decisions about which planning applications were submitted to Committee for determination.

The Development Management Group Leader provided a response.

6 Deputations/Petitions

No deputations or petitions were received.

7 Mirfield 25, Leeds Road, Mirfield – Planning Compliance & Conditions Monitoring

The Committee received a report outlining the planning related complaints, and action taken as a result, in respect of Mirfield 25, Leeds Road, Mirfield, further to a request made by the Committee at the meeting held on 3rd June 2020.

The site is one of the largest strategic sites currently under construction in Kirklees and the report also provided an update on the Major Site Monitoring undertaken in respect of the Conditions and Section 106 obligations.

Under the provisions of Council Procedure Rule 36(3) the Committee received representations from Councillor Martyn Bolt.

RESOLVED –

That the report be noted and a further, more detailed, update be submitted to the next meeting of the Committee.

8 Planning Application- Application No -2020/92657

The Committee considered Planning Application 2020/92657 - Erection of 10 classroom teaching block and formation of car parking area with associated engineering and landscape works (within a Conservation Area) at King James School, St Helen's Gate, Almondbury, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Robin Tones and Joely Carey (objectors) and Ian Rimmer, Principal and Matthew Rhodes, Agent (in support).

Under the provisions of Council Procedure Rule 36(3) the Committee received representations from Councillors Paola Davies, Bernard McGuin and Alison Munro.

RESOLVED –

That authority be delegated to the Head of Planning and Development to notify the Secretary of State of the Local Planning Authority's intention to approve the application and, subject to the Secretary of State's response, to approve the application and issue the decision notice further to completion of the list of conditions, including those contained within the Committee report and the update, as set out below:

1. Time limit to commence (three years).
2. Development to be done in accordance with plans.
3. Modular buildings to be removed within 6 months of new building being used.

Strategic Planning Committee - 16 December 2020

4. Details of facing stone to be provided prior to use.
5. Electric vehicle charging points (x2).
6. Contaminated land (Remediation and implementation).
7. Contaminated land (Validation).
8. Development done in accordance with Ecological Impact Assessment.
9. Submission of Ecological Design Strategy.
10. Provision of crossing point on Fenay Lane to St Helen's Gate.
11. Provision and implementation of 20mph reduction on St Helen's Gate (Fenay Lane to Arkenley Lane).
12. Submission of detailed travel plan, to be in accordance with details provided.
13. Post completion review of highway safety.
14. Submission of updated drainage strategy / Implementation of submitted drainage scheme.
15. Management maintenance of drainage strategy.

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

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

Against (0 votes)

Abstained: Councillors Bellamy and Patrick

9 **Planning Application- Application No- 2020/91746**

The Committee considered Planning Application 2020/91746 in respect of the erection of an 'extra care' development providing 80 apartments with associated communal facilities and landscaped gardens at land off Kenmore Drive, Cleckheaton.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Clare Hemming, the applicant (in support).

Under the provisions of Council Procedure Rule 36(3) the Committee received representations from Councillor John Lawson.

RESOLVED –

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development, in order to address the outstanding ecological matter and complete the list of conditions, including those contained within the Committee report and the update, as set out below:

1. Three year time limit for implementation.
2. Development in accordance with plans.
3. Samples of construction materials.
4. Car park to be laid out surfaced and drained.
5. Schedule of the means of access to the site for construction traffic.
6. Detailed scheme of hard and soft landscaping.
7. Landscape and Ecological Management Plan.
8. Details of boundary treatments.
9. Scheme detailing foul, surface water and land drainage.
10. Assessment of effects of 1 in 100 year storm events.

Strategic Planning Committee - 16 December 2020

11. Details of the operation, maintenance and management of the surface water drainage infrastructure.
12. Scheme of temporary surface water drainage.
13. Site to be developed with separate system of drainage for foul and surface water. Maximum surface water discharge rate to be 3.5 l/s.
14. Construction hours.
15. Works completed in accordance with Noise Report Mitigation Measures.
16. Ventilation Scheme.
17. Control of noise from mechanical services, external plant and equipment.
18. Phase 2 report.
19. Remediation Strategy and implementation.
20. Submission of Validation Report.
21. Reporting of unexpected contamination.
22. Electric vehicle charge points.
23. Scheme of external lighting.
24. Submission, agreement, implementation and retention of a scheme regarding public footpaths and public access at the site;

subject to the provisions of Condition 5 and 14 being amalgamated into a condition requiring the submission of a Construction Management Plan, to include provision for community engagement.

and secure a Section 106 agreement to cover the following matters:

1. The establishment of a management company for the management and maintenance of the on-site area of Public Open Space and an Inspection Fee of £250.
2. Secure the 80 residential units as 100% affordable housing for rent.
3. Travel Plan monitoring fee of £15,000;

in the 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; 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 Bellamy, S Hall, Pattison, Patrick, A Pinnock, Sokhal and Walker (7 votes).

Against (0 votes)

10 **Planning Application - Application No: 2020/90988**

The Committee considered Planning Application 2020/90988 in respect of the variation of Condition 2 (plans and specifications) on a previous permission (2013/90497) for the erection of new industrial units at Magma Ceramics, Low Road, Earlsheaton, Dewsbury.

Strategic Planning Committee - 16 December 2020

Under the provisions of Council Procedure Rule 37 the Committee received representations from Mark Stuckey, on behalf of the applicant (in support).

RESOLVED –

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to complete the list of conditions, including those contained within the Committee report and the update, as set out below:

1. Three years to commence development - Condition does not need to be reapplied.
2. Approved plans and documents - the list of drawings and documents to be varied to include the drawings and documents illustrating and supporting the proposals detailed in the Committee report and the update.
3. Building materials - Condition reapplied as a compliance condition to reflect the approved building materials, together with an updated policy reasoning.
4. Boundary treatments - Condition reapplied as a compliance condition to reflect the approved boundary treatment, together with an updated policy reasoning.
5. Landscape details - Condition reapplied as a compliance condition to reflect the approved landscape plan, together with an updated policy reasoning.
6. Planting, seeding or tree management works - Condition reapplied as a compliance condition, together with an updated policy reasoning.
7. Drainage details - Condition reapplied and reworded to require details to be submitted where relevant, with a new trigger point, together with an updated policy reasoning.
8. Separate drainage - Condition reapplied as a compliance condition, together with an updated policy reasoning.
9. Flow restriction and surface water attenuation - Condition reapplied and reworded to require details to be submitted where relevant, with a new trigger point, together with an updated policy reasoning.
10. Flood Routing - Condition reapplied as a compliance condition, together with an updated policy reasoning.
11. Interceptor for the car parks - Condition reapplied and reworded to require these details to be submitted where relevant, with a new trigger point, together with an updated policy reasoning.
12. Arboricultural Assessment - Condition reapplied as a compliance condition, together with an updated policy reasoning.
13. Protective fencing - Condition reapplied as a compliance condition, together with an updated policy reasoning.
14. Phase 2 Intrusive Site Investigation Report - Condition reapplied as a compliance condition, together with an updated policy reasoning.
15. Remediation Strategy - Condition reapplied and reworded to require details to be submitted where relevant, with a new trigger point, together with an updated policy reasoning.
16. Unexpected remediation - Condition reapplied as a compliance condition, together with an updated policy reasoning.
17. Validation Report - Condition reapplied, together with an updated policy reasoning.
18. Noise - Condition to be reapplied as a compliance condition, together with an updated policy reasoning.

Strategic Planning Committee - 16 December 2020

19. Phasing plan - Condition reapplied as a compliance condition, together with an updated policy reasoning.
20. Phasing of development - Condition reapplied as a compliance condition, together with an updated policy reasoning.
21. Cycle parking - Condition reapplied as a compliance condition, together with an updated policy reasoning.
22. Retaining wall – Condition does not need to be reapplied.
23. Time periods for dispatch and delivery. Condition reapplied as a compliance condition, together with an updated policy reasoning.
24. The installation of the mechanical plant shall not begin until details a sound insulation scheme, designed to protect the amenity of occupants of Carlton Terrace, Low Road and Middle Road from noise emitted from the application premises, has been submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not commence until the works comprised within the approved sound insulation scheme have been completed and those works shall be retained thereafter.

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

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

Against (0 votes)

- 11 Planning Application- Application No- 2020/92385**
The Committee considered Planning Application 2020/92385 relating to the erection of a warehouse at Hb Food Services, Vulcan Works, Vulcan Road, Eightlands, Dewsbury.

RESOLVED –

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development, in order to complete the list of conditions, including those contained within the Committee report, as set out below:

1. Standard 3-year time limit for implementation.
2. Development to be in accordance with the approved plans.
3. Materials to be as shown on the plans.
4. No removal of trees and vegetation shall take place prior to check for active birds' nests
5. Invasive non-native species protocol to be submitted and approved in writing
6. No development to take place until an EDS is submitted and approved.
7. No additional tree works to commence without the prior approval of the Local Planning Authority
8. Landscaping boundary treatment plan
9. Noise assessment
10. External artificial lighting scheme to be submitted and approved in writing by the Local Planning Authority.
11. Phase II intrusive investigation report (contaminated land)
12. Remediation strategy (contaminated land)
13. Implementation of remediation strategy (contaminated land)
14. Submission of validation report (contaminated land)

Strategic Planning Committee - 16 December 2020

15. Electric vehicle charging points
16. Turning head to be retained
17. Development to be used in association with the existing business at the site
18. Permeable surfacing
19. Hours of operation – 08:00-18:00 Monday to Friday and 08:00-13:00 Saturday.
No works on Sunday and Bank Holidays
20. Scheme detailing foul, surface water and land drainage
21. Details of operation, maintenance, and management of surface water drainage infrastructure
22. Scheme detailing temporary surface water drainage for construction phase

and including a footnote in respect of Conditions 7 and 8 requiring the retention of as many of the existing trees along the frontage of the site as possible.

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

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

Against (0 votes)

12 **Planning Application- Application No- 2020/92276**

The Committee considered Planning Application 2020/92276 relating to the flexible use of an existing bus depot and vehicle maintenance garage as bus depot and vehicle maintenance garage and/or B2/B8 storage use (within a Conservation Area) at 2 George Street, Batley.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Haris Kasuji, the Agent (in support).

RESOLVED –

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development, in order to complete the list of conditions including those set out within the Committee report, as set out below:

1. 3 years.
2. Plans and specifications.
3. Access condition – no coaches or HGVs from George Street.
4. Charging points.
5. Noise conditions (levels not be exceeded).
6. Hours condition restricting the vehicle movement of non-passenger vehicles.

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

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

Against (0 votes)