

Contact Officer: Sheila Dykes

## KIRKLEES COUNCIL

### STRATEGIC PLANNING COMMITTEE

**Wednesday 24th February 2021**

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

Observers: Councillor Martyn Bolt  
Councillor Susan Lee-Richards  
Councillor Vivien Lees-Hamilton  
Councillor Alison Munro

Apologies: Councillor Carole Pattison

**1 Membership of the Committee**

Councillor Mahmood Akhtar substituted for Councillor Carole Pattison.

**2 Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the meeting of the Committee held on 21 January 2021 be approved as a correct record.

**3 Declaration of Interests and Lobbying**

Councillors Bellamy, Hall, Patrick, Andrew Pinnock, Sokhal and Walker advised that they had been lobbied in relation to Application 2019/91467.

Councillors Bellamy and Patrick advised that they had been lobbied in relation to Application 2019/91105.

Councillor Hall advised that he had been lobbied in relation to Applications 2018/92647 and 2020/20447.

**4 Admission of the Public**

All items on the agenda were taken in public session.

**5 Public Question Time**

No questions were asked.

**6 Deputations/Petitions**

No deputations or petitions were received.

**8 Planning Application - Application No. 2020/92067**

The Committee considered Planning Application 2020/92067 relating to the erection of 30 dwellings at the former Stile Common Infant and Nursery School, Plane Street, Newsome, Huddersfield.

**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. Three years to commence development.
2. Development to be carried out in accordance with the approved plans and specifications.
3. Securing use of proposed materials and the submission of roofing samples.
4. Notwithstanding submitted details, full boundary treatment plan to be submitted, to include fencing set behind retaining wall and railing retained.
5. Final site levels to be agreed.
6. Technical details of Plane Street and new road.
7. Parking spaces proposed to be provided and retained.
8. Provision of bin-storage and details of screening.
9. Construction Management Plan (CMP).
10. Highway condition survey.
11. Sightline secured as per plan.
12. Submission of cycle storage details, and implementation.
13. Charging points, one per dwelling.
14. Contaminated Land (Remediation).
15. Contaminated Land (Validation).
16. Construction (Environmental) Management Plan (C(E)MP).
17. Temporary drainage strategy during construction period.
18. Submission of technical drainage strategy.
19. Ecological Design Strategy to be submitted, approved and implemented.
20. Ecological Lighting Strategy to be submitted, approved and implemented.
21. Landscaping scheme, to include replacement tree replanting.
22. Submission and implementation of Arboricultural Method Statement.

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

1. Affordable Housing: 30 units (all) for affordable rent, with the stipulation that 100% of units are to be retained as affordable housing in perpetuity.
2. Open Space: off-site contribution of £42,667 to address shortfalls in specific open space typologies.
3. Ecology: contribution (£88,481) towards off-site measures to achieve biodiversity net gain.
4. Management: the establishment of management and maintenance arrangements 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).

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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 be 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 Akhtar, Bellamy, Hall, Patrick, Andrew Pinnock, Sokhal and Walker (7 votes)

### 9 **Planning Application - Application No: 2018/92647**

The Committee considered Planning Application 2018/92647, a hybrid application for mixed use development of retail/office and 239 residential units (Use Classes C3/A1/A3/B1a) at the former Kirklees College, New North Road, Huddersfield. Full planning permission for the partial demolition of the former Kirklees College, erection of a food retail store with residential above, erection of two mixed use (retail/residential) buildings, alterations to convert Grade II\* listed building to offices and creation of vehicular access from Portland Street, New North Road and Trinity Street. Outline application for erection of four buildings mixed use (residential/office) (Listed Building within a Conservation Area).

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Richard Irving (in support).

Under the provisions of Council Procedure Rule 36 (3) the Committee received a representation from Councillor Susan Lee-Richards.

### **RESOLVED –**

(1) That, subject to a review of the design of the food retail store and the imposition of a condition to require the use of natural stone to all elevations of this building, 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:

#### **Full Permission**

1. Time scale for implementation (three years).
2. Development to be carried out in accordance with approved plans.
3. Detailed scheme for the conversion Listed Building works (scope of repair and refurbishment).
4. Approval of samples and details of materials for existing and proposed windows and doors and flooring etc.
5. Details of fire escapes, replacement ironmongery, fixtures and fittings.
6. Method statement for stone cleaning.
7. Details of curtain walling system.

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8. A landscaping plan use of natural stone setts, flags and walling.
9. Retail store - samples to be submitted walling and roofing materials along with a sample panel of the external masonry, coursing and pointing.
10. Boundary treatments and landscaping scheme.
11. Full Travel Plan required to be submitted.
12. Details to be submitted of highway works required to site frontage.
13. Details to be submitted of surfacing and draining of car parks.
14. Method storage/collection of waste.
15. Details to be submitted subway lighting improvements.
16. Stage 1 safety audit to be submitted.
17. Details to be submitted - closure of existing access points onto highway.
18. Development in accordance with the Bat Survey Report.
19. Ecological Design Strategy (EDS) to be submitted.
20. Hours open for customers and deliveries and dispatches.
21. Details of noise from fixed plant and equipment.
22. Noise Management Plan – Condition.
23. Construction Environmental Management Plan – Condition.
24. Land contamination -conditions.
25. Electric Vehicle Charging Points.
26. Details of external lighting to be submitted.
27. DR01 Drainage Details Scheme - details of foul, surface water and land drainage.
28. DR02 Watercourse Management -intrusive investigation.
29. Surface Water Attenuation Scheme- restricting the rate of surface water.
30. DR08 There shall be no discharge of foul fats oils and grease.
31. DR20 Interceptor surface water vehicle parking and hard standing areas.
32. Land contamination conditions.
33. Detailed landscape plan and long-term management landscape and ecological design (LEDS).
  - full planting specification,
  - hard landscape materials and boundary treatments.
34. Details of where bin storage & bin collection points are required.
35. A revised full Air Quality Impact Assessment shall be submitted to the Local Planning Authority:
  - impact that the development will have on air quality
  - include a calculation of the monetary damages from the development
  - include a fully costed mitigation plan
36. External artificial lighting.
37. Scheme for security measures in the interests of crime prevention.

### Outline Permission

1. Details of the Reserved Matters.
2. Time limit for submission of Reserved Matters.
3. Time limit for commencement of development.
4. Submission of Reserved Matters (layout) broadly in accordance with the Parameters Plans to a maximum of 197 dwellings.
5. Full Travel Plan required to be submitted.
6. Details to be submitted of highway works required to site frontage.
7. Details to be submitted of surfacing and draining of car parks.
8. Method storage/collection of waste.

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9. Details to be submitted subway lighting improvements.
10. Stage 1 safety audit to be submitted.
11. Development to be in accordance with the Bat Survey Report.
12. Ecological Design Strategy (EDS) to be submitted.
13. DR01 Drainage Details scheme details of foul, surface water and land drainage.
14. DR02 Watercourse Management -intrusive investigation.
15. Surface Water Attenuation Scheme- restricting the rate of surface water.
16. DR08 There shall be no discharge of foul fats oils and grease.
17. DR20 Interceptor surface water from vehicle parking and hard standing areas.
18. Development in accordance with noise impact assessment mitigation measures.
19. Land Contamination conditions.
20. Detailed landscape plan and long-term management landscape and ecological design (LEDS):
  - full planting specification,
  - hard landscape materials and boundary treatments.
21. Details of where bin storage & bin collection points are required.
22. A revised full Air Quality Impact Assessment shall be submitted to the Local Planning Authority:
  - impact that the development will have on air quality
  - include a calculation of the monetary damages from the development
  - include a fully costed mitigation plan.
23. External artificial lighting.
24. Scheme for security measures in the interests of crime prevention.

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

1. Arrangements for the future maintenance and management of drainage infrastructure within the site.
2. Phasing of the development, including urgent work to the listed building (Building 1,2 & 3) within the first phase.
3. Overage clause in relation to the costs of the conversion of the listed (Building 1,2 &3).

(2) 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 be authorised to determine the application and impose appropriate reasons for refusal under delegated powers.

(3) That the Reserved Matters for the outline application be submitted to this Committee.

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

For: Councillors Akhtar, Hall, Sokhal and Walker (4 votes)

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

**10 Planning Application - Application No. 2019/91467**

The Committee considered Planning Application 2019/91467 in relation to the erection of 67 dwellings with associated access and parking on land to the south of Granny Lane, Mirfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Helen Butler, Cheryl Tyler, Veronica Maher, Andy Kirby, Frances Thompson, Leanne McConnell, Katherine Hall, Keelan Sarjeant, Ian Woolin, Lynda Auty, Mark Eastwood MP, Councillor Martyn Bolt on behalf of Mirfield Town Council (in objection); Geoff Bowman, Ross Oakley and Jonathan Dunbavin (in support).

Under the provisions of Council Procedure Rule 36 (3) the Committee received representations from Councillors Martyn Bolt and Vivien Lees-Hamilton.

**RESOLVED –**

That the application be refused on the grounds that the position of part of the main vehicular and pedestrian access and egress into the site within Flood Zone 3 would result in the failure of the scheme to deliver safe access and escape routes for all future occupiers of the development at all times.

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

For: Councillors Akhtar, Bellamy, Hall, Patrick and Sokhal (5 votes)

Against: Councillors Andrew Pinnock and Walker (2 votes).

**11 Planning Application - Application No: 2019/91105**

The Committee considered Planning Application 2019/91105 relating to outline permission for the erection of residential development, including means of access to the site, on land to the north of Old Bank Road, Mirfield (63 dwellings).

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

**RESOLVED –**

That the application be refused for the following reason:

Having regard to the legacy of the historic uses of the site, the information submitted with the application does not demonstrate that the site can be safely developed for housing and that development could proceed without unduly prejudicing the safety and amenity of adjacent properties. The application is contrary to Policy LP53 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

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

For: Councillors Akhtar, Bellamy, Hall, Patrick, Andrew Pinnock, Sokhal and Walker (7 votes)

**12 Planning Application - Application No. 2020/91813**

The Committee considered Planning Application 2020/91813 in relation to the discharge of Conditions 14 (affordable housing), 15 (public open space) and 16 (education) of Permission 2018/91119; an outline application for the erection of residential development to the rear of 11 Holme Avenue, Dalton, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Steve Riddles (in objection) and Tom Cook (in support).

Under the provisions of Council Procedure Rule 36 (3) the Committee received a representation from Councillor Alison Munro.

**RESOLVED –**

That approval of the application to discharge Conditions 14,15 and 16 of Permission 2018/91119 be delegated to the Head of Planning and Development, subject to a Section 106 agreement to secure the provision of two starter homes on the site.

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

For: Councillors Akhtar, Bellamy, Hall, Patrick, Andrew Pinnock, Sokhal and Walker (7 votes)

**13 Pre-Application Enquiry - 2020/20447**

The Committee received a pre-application enquiry report 2020/20447, in respect of a proposed industrial development at land off Lindley Moor Road, Lindley, Huddersfield.

Under the provisions of Council procedure Rule 37, the Committee received representations from David Storrie and Matt Robinson (on behalf of the applicant).

Members asked questions in respect of:

- Potential for the inclusion of a doctor's surgery.
- The potential impact on the amenity of the existing residential properties adjacent to the south east corner of the site.

**RESOLVED –**

That the contents of the pre-application report be noted.