

Contact Officer: Sheila Dykes

## KIRKLEES COUNCIL

### STRATEGIC PLANNING COMMITTEE

**Thursday 1st July 2021**

Present: Councillor Steve Hall (Chair)  
Councillor Donna Bellamy  
Councillor Charles Greaves  
Councillor Alison Munro  
Councillor Carole Pattison  
Councillor Mohan Sokhal  
Councillor Mark Thompson

Apologies: Councillor Andrew Pinnock

**1 Membership of the Committee**

Councillor Alison Munro substituted for Councillor Andrew Pinnock.

**2 Minutes of the Previous Meeting**

The Minutes of the meeting of the Committee held on 3<sup>rd</sup> June 2021 were agreed as a correct record.

**3 Declaration of Interests and Lobbying**

Councillor Steve Hall advised that he had been lobbied in relation to Applications 2020/92546 and 2019/90902.

**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.

**7 Planning Application - Application No: 2020/92546**

The Committee considered Application No: 2020/92546, an outline application (with details of points of access only) for the development of up to 770 residential dwellings (Use Class C3), including up to 70 care apartments (Use Classes C2/C3) with doctors' surgery of up to 350 sq m (Use Class D1); up to 500 sq m of Use Class A1/A2/A3/A4/A5/D1 floorspace (dual use), vehicular and pedestrian access points off Blackmoorfoot Road and Felks Stile Road and associated works on land at and off, Blackmoorfoot Road and Felks Street, Crosland Moor, Huddersfield.

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

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### 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, subject to the amendment of Condition 7 to include a requirement for the undertaking of community consultation:

1. Application for approval of the reserved matters for the first phase of development not later than 3 years from the date of this permission. Application for approval of the reserved matters for Phase 2 not later than 5 years from the date of this permission and all remaining phases not later than 7 years from the date of this permission.
2. Development to begin not later than, whichever is the later of the following dates - the expiration of 2 years from the date of approval of the last reserved matters application for the first phase or before the expiration of 5 years from the date of this permission.
3. Details of the reserved matters for each phase before that phase commences.
4. Construction of the accesses into the site in accordance with the approved plans.
5. Development of the reserved matters in broad accordance with the Design and Access Statement up to a maximum of 770 dwellings, including up to 70 care apartments.
6. Submission of a Phasing Plan.
7. Submission of a Construction Environment Management Plan (CEMP).
8. Details of off-site highway improvements (to include the relocation of the 30mph sign).
9. Provision of visibility splays in accordance with the approved plans.
10. Details of the junction and associated highway works, between the proposed estate road(s) and Blackmoorfoot Road/Felks Stile Road.
11. Full Travel Plan.
12. Method for collection and storage of waste.
13. Details of temporary waste collection.
14. Closure of redundant accesses.
15. Highways condition survey.
16. Details of retaining walls/structures adjacent to the adoptable highway.
17. Submission of details relating to internal adoptable roads.
18. Details of surface water drainage works including the means of restricting the discharge for the relevant area of the site to the public sewer network at a maximum rate of 27 (twenty seven) litres per second.
19. Separate systems of drainage for foul and surface water.
20. Details of the proposed means of disposal of foul water drainage for the whole site.
21. Petrol, oil and grease interceptors for large parking areas.
22. No development to take place/commence until a written scheme of archaeological investigation (WSI) has been submitted and approved.
23. Submission of an Ecological Design Strategy.
24. Requirement to achieve a Bio-diversity Net Gain.
25. Landscape and Ecological Management Plan (LEMP).
26. Lighting Design Strategy for Bio-diversity.

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27. Air Quality Impact Assessment prior to the submission of the each phase of reserved matters.
28. Dust mitigation measures for each phase.
29. Electric Vehicle Charging Points for each phase.
30. Submission of a Phase 2 Intrusive Site Investigation Report.
31. Submission of Remediation Strategy.
32. Implementation of the Remediation Strategy.
33. Submission of Validation Report.
34. Noise assessment where ventilation required.
35. Details of external artificial lighting.
36. Tree Protection measures.
37. Details of crime prevention measures in accordance with guidance from West Yorkshire Police.
38. Finished site levels (including existing and proposed cross-sections).
39. Implementation of noise mitigation measures.
40. Submission of a ventilation scheme for habitable rooms.
41. Details of noise from fixed plant and equipment.

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

1. Affordable housing – 20% provision with a tenure split of 55% social or affordable rent to 45% intermediate housing unless otherwise agreed at reserved matters stage.
2. Open space – On-site provision to be assessed at reserved matters stage and to include any off-site contribution to address any on-site shortfalls in specific open space typologies.
3. Education – Contribution of up to £1,312,000, based on 770 dwellings, to be spent upon priority admission area schools or within the geographical vicinity of this site to be determined at reserved matters stage. Payments would be made in instalments and on a pre-occupation basis, per phase. Instalment schedule to be agreed.
4. Highway Improvements - Up to £552,980 towards the Longroyd Bridge Junction Improvement scheme – based on 770 dwellings.
5. Sustainable transport – Measures to the value of approximately £397,000 to encourage the use of sustainable modes of transport, implementation of a Travel Plan as well as £15,000 towards Travel Plan monitoring – based on 770 dwellings and £46,000 towards the provision of 2 new bus shelters within the vicinity of the site with Real Time Information displays (£23,000 per stop). Additionally, the potential to include for 2 bus stop poles within the site at reserved matters stage (£500 per stop).
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. Bio-diversity – Contribution (amount to be confirmed) towards off-site measures to achieve bio-diversity net gain in the event that it cannot be delivered on site.
8. Air Quality – Contribution (amount to be confirmed) up to the estimated damage cost, to be spent on air quality improvement projects within the locality.

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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; 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 Greaves, Hall, Munro, Pattison and Sokhal (5 votes)

Against: Councillors Bellamy and Thompson (2 votes).

### 8 **Planning Application - Application No: 2019/90902**

The Committee considered Application No. 2019/90902, an outline application for the demolition of 1 dwelling and erection of 98 dwellings, with consideration for access, landscaping and layout to the rear of 271 Cliffe Lane, Gomersal, Cleckheaton.

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

#### **RESOLVED -**

That the application be refused for the following reason:

In the absence of a completed Section 106 agreement the development fails to provide for affordable housing, education, public open space, landscape maintenance and management, sustainable travel, flood risk and drainage management and maintenance. Without such contributions, the proposal would fail to accord with Policies LP4, LP11, LP20, LP21, LP27, LP28, LP32 and LP63 of the Kirklees Local Plan as well as Chapters 4, 5, 9, 14 and 15 of the National Planning Policy Framework.

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

For: Councillors Greaves, Hall, Munro, Pattison, Sokhal and Thompson (6 votes)

Against: (0 votes)

Abstain: Councillor Bellamy

### 9 **Planning Application - Application No. 2019/93644**

The Committee considered Application No. 2019/93644 relating to a change of use and alterations to existing building to; workshop, catering business (B1) and restaurant cafe (A3) and business/storage and distribution (B1/B8); and change of use of land to form associated parking area (within a Conservation Area) - former agricultural building at Field Lane, Farnley Tyas, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Lynette Swinburne and Amanda Guest (in support).

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### **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 Planning Update, as set out below:

1. Development in accordance with plans.
2. Electric vehicle charging points.
3. Hours of operation:  
Mondays and Tuesdays (excluding bank holidays): Closed to the public, however the premises would be open for the preparation of food for outside events.  
Wednesdays and Thursdays: 10.30 – 22.00  
Fridays and Saturdays: 08.30 – 23.00  
Sundays and Bank Holidays: 10.30 - 20.00  
(12 month temporary hours of opening for A3 use).

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

For: Councillors Bellamy, Hall, Pattison, Sokhal and Thompson (5 votes)

Against: Councillor Greaves (1 vote).

Abstain: Councillor Munro

- 10 Planning Application - Application No. 2021/90119**  
The Committee considered Application No. 2021/90119 relating to the installation of a 30 metre high valmont slimline climbable monopole on 6.6 x 6.6 x 1.4m depth concrete base with 6 no. antenna apertures at 330°/90°/210° and 4 no. proposed 600 dishes. RRU's, MHA's, active routers and BOBs to be fixed to headframe below antennas and associated ancillary works at Focal Community Centre, New Hey Road, Huddersfield.

### **RESOLVED –**

That consideration of the item be deferred to allow for clarification/further information to be provided in respect of:

- Permitted Development Rights for telecommunication installations.
- Protected areas, as defined under permitted development rules.
- Why it is necessary for the mast to be 30 metres in height and in the proposed location.
- The connected infrastructure that will be required.
- An assessment of the visual impact of the proposal and the potential for mitigation.

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

For: Councillors Bellamy, Greaves, Hall, Munro, Sokhal and Thompson (6 votes)

Against: (0 votes)

Abstain: Councillor Pattison