

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Wednesday 14th December 2022

Present: Councillor Steve Hall (Chair)
Councillor Paul Davies
Councillor Carole Pattison
Councillor Mohan Sokhal
Councillor Mark Thompson
Councillor Andrew Pinnock
Councillor Adam Gregg

Apologies: Councillor Bill Armer

1 Membership of the Committee

Apologies were received from Councillor Bill Armer.

Councillor Adam Gregg substituted for Councillor Bill Armer.

2 Declaration of Interests and Lobbying

Councillors P Davies, Gregg, S Hall, Pattison, A Pinnock, Sokhal and Thompson declared that they had been lobbied on application 2021/91914.

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 Applications

The following applications were considered.

7 Planning Application - Application No: 2021/91914

The Committee gave consideration to Planning Application 2021/91914 Demolition of one dwelling and erection of 44 dwellings with access and associated infrastructure (revised plans) rear of, 28, Northorpe Lane, Northorpe, Mirfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Dipika Kaushal, Lucy Ashen, Sarah Hirst, Dominic Bowen, Stephen Ashen, Jackie Ashen and John Fitzsimons (objectors) and Richard Mowat (on behalf of the applicant).

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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 planning update including:
 1. TCPA Section 91 – Standard 3 Year Commencement Deadline
 2. Development in accordance with Approved Document Schedule
 3. Submission of retaining wall facing materials
 4. Highway Retaining Wall Structural Details (Pre-commencement)
 5. Non-highway Retaining Wall Structural Details (Pre-commencement)
 6. In highway structures' details (manholes etc) (Pre-commencement)
 7. Internal estate highway construction details to meet adoptable standards (Pre-commencement)
 8. Provision of off-site parking lay-by/widening works (Pre-commencement)
 9. Surfacing of parking areas
 10. Access junction layout (Pre-commencement)
 11. Submission of detailed Travel Plan
 12. Bin presentation points.
 13. Temporary waste management during development and occupation of dwellinghouses
 14. Pre & Post Highway Condition Surveys and remedial works (Pre-commencement)
 15. External materials specifications and samples.
 16. Soil & Vent Pipes to remain within external envelope.
 17. Submission of detailed hard and soft landscaping including street trees and management practices (Pre-commencement)
 18. 5 Year Landscape Replacement
 19. Construction Environmental Management Plan for Biodiversity (Pre-commencement)
 20. Ecological Design Strategy
 21. Detailed drainage design (Pre-commencement)
 22. Exceedance event/overland flow routing (Pre-commencement)
 23. Temporary drainage arrangements (Pre-commencement)
 24. Submission of Phase II Contaminated Land Survey (Pre-commencement)
 25. Submission of Remediation Strategy for Contaminated Land (Pre-commencement)
 26. Implementation of Remediation Strategy (Pre-commencement)
 27. Validation of Site Remediation (Pre-commencement)
 28. Submission of Air Quality Impact Assessment
 29. Electric Vehicle Charging Point Installation
 30. Construction Environmental Management Plan (Noise, Dust, Artificial Lighting, Complaint Handling) (Pre-commencement)
 31. Construction traffic and operative parking management (Pre-commencement)
2. Secure a Section 106 agreement to cover the following matters:

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- 1) Affordable housing – A 20% (20.51%) on-site contribution composed of 9 affordable First Homes with 30% market discount.
 - 2) Public Open Space – An off-site financial contribution of £80,318 to address shortfalls in specific open space typologies.
 - 4) Biodiversity – A financial contribution of £59,110 towards off-site measures to achieve biodiversity net gain.
 - 5) Sustainable Transport – Measures to encourage the use of sustainable modes of transport, including a £25,968.50 financial contribution towards a Sustainable Travel Fund for the purpose of providing Residential MCards for occupants of the development as well as £23,000 for Bus Stop Upgrades in the form of a New Shelter at Stop 16299 and a Real Time Display to be installed at Stop 16300. A further £10,000 towards Travel Plan monitoring is also required.
 - 7) 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 and foul drainage infrastructure until formally adopted by the statutory undertaker).
3. Pursuant to (2) above, in the circumstances where the Section 106 agreement has not been completed within three 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 mitigation and 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: P Davies, S Hall, Pattison and Sokhal (4 votes).

Against: Councillors: Gregg, A Pinnock and Thompson (3 votes)

8 **Planning Application - Application No: 2022/92557**

The Committee gave consideration to Planning Application 2022/92557 Installation of a 1mW ground mounted solar array and all associated works Fox View, Dry Hill Lane, Denby Dale, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Sub Committee received a representation from Richard Corbett (on behalf of the 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. In accordance with the approved plans.
2. Development with 3 years.
3. Submission of details regarding the transformer details / locations

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4. Submission of a landscaping / planting scheme
5. Submission of noise impact assessment
6. Submission of a 'Glint and Glare' assessment
7. Reporting of unexpected contaminated land
8. No development within an appropriate buffer of the protected trees, as agreed with KC Trees
9. Submission of a biodiversity plan for a 10% biodiversity net gain
10. Notwithstanding approved plans, applicant to agree on method to fix panels to the ground with the LPA.
11. Submitted of an arboricultural method statement / tree protection plan
12. Submission of a landscape and ecological design (LEDS). The scheme shall provide the means of providing biodiversity enhancement, given the location, managed and maintained in perpetuity.

It was noted that the Committee supported a condition to replace the use of concrete pads as the method of fixing the solar panels to the ground with a less intrusion method.

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

For: Councillors: P Davies, Gregg, S Hall, Pattison, A Pinnock and Sokhal (6 votes).

Against: Councillor Thompson (1 vote)