

Contact Officer: Richard Dunne

## KIRKLEES COUNCIL

### STRATEGIC PLANNING COMMITTEE

Thursday 11th May 2023

Present:

Councillor Paul Davies  
Councillor Carole Pattison  
Councillor Mohan Sokhal  
Councillor Bill Armer  
Councillor Mark Thompson  
Councillor Andrew Pinnock  
Councillor Eric Firth

Apologies: Councillor Steve Hall (Chair)

**1 Membership of the Committee**

Apologies were received from Councillor Steve Hall.

Councillor Eric Firth Substituted for Councillor Steve Hall.

In the absence of Councillor Steve Hall Councillor Carole Pattison was elected to chair the meeting.

**2 Minutes of the Previous Meeting**

The minutes of the meetings held on the 15 March 2023 and 6 April 2023 were approved as a correct record.

**3 Declaration of Interests and Lobbying**

Councillors A Pinnock, Armer and Pattison declared that they had been lobbied on application 2021/93006.

It was noted that Cllr Armer declared that he had attended community meetings relating to application 2021/93006 but had only provided advice on procedural matters.

Councillors A Pinnock and Armer declared that they had been lobbied on applications 2021/94061 and 2021/94208.

**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.

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**7 Site Visit - Application No: 2021/93006**

Site visit undertaken.

**8 Site Visit - Application No: 2021/94061**

Site visit undertaken.

**9 Site Visit - Application No: 2021/94208**

Site visit undertaken.

**10 Planning Applications**

The following applications were considered.

**11 Planning Application - Application No: 2021/93006**

The Committee gave consideration to Planning Application 2021/93006 Conversion of existing barn to form 8 dwellings, erection of 9 dwellings, demolition of redundant agricultural buildings and associated works (Listed Building within a Conservation Area) Yew Tree Farm, The Village, Farnley Tyas, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Richard Wood, Keith Bellwood and Malcolm Sizer (objectors), and Michael Powell (on behalf of the applicant).

**RESOLVED –**

1) That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to:

a) complete the list of conditions, including those contained within the report, as set out below:

1. TCPA Standard 3 Year Time Limit for Commencement.
2. Development in Accordance with Approved Document List.
3. Phase II Intrusive Site Investigation Report.
4. Remediation Strategy.
5. Implementation of Remediation Strategy.
6. Verification Report.
7. Submission of a Construction Environmental Management Plan.
8. Noise Report.
9. Electric Vehicle Charging Points.
10. Detailed Design Scheme detailing Foul Surface Water and Land Drainage.
11. Assessment of the Effects of 1 in 100 Year Storm Events.
12. Temporary Surface Water Drainage.
13. Site shall be developed with separate systems of drainage for foul and surface water on and off site.
14. No piped discharge of surface water from the development should be undertaken prior to the completion of surface water drainage works.
15. Arboricultural Method Statement.
16. Drainage and Surfacing of car parking spaces.
17. Installation of 11 bat boxes to provide a biodiversity net gain.

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18. Removal of Permitted Development Rights for extensions, outbuildings, alterations to the roof and boundary treatments.
19. Restrict Access to the south of the site (off of Farnley Road).
20. The existing farmhouse should be recorded prior to demolition to enable external detailing of the new 'replica' dwelling (plot 15).
21. Details and design of the garage door for the new 'replica' dwelling (plot 15) shall be submitted for approval and should be in timber.
22. The demolition of the farmhouse must not be allowed to proceed unless the larger development goes ahead.
23. Reclaimed natural stone slate roofing in diminishing courses must be specified, with a sample submitted for approval – farmhouse (plot 15).
24. Existing stone taken from the farmhouse shall be reclaimed and re-used where possible. Any replacement stone must match the existing in terms of stone type, tooling, coursing etc. with sample panels provided to show coursing and points, and ashlar stone samples submitted for approval. Tumbled and dyed stone will not be permitted.
25. External material samples for all new build dwellings are to be submitted for approval, including roof slates and ashlar stonework, with sample panel of external walling including pointing and mortar colour. Pitched faced or tooled stone shall be specified rather than tumbled and dyed stone.
26. Window and door details for all new builds shall be submitted for approval (scale 1:5 sections and 1:20 elevations).
27. Landscaping details shall be provided to the Council prior to their use on site, these details should include surface treatments.
28. Implementation of a programme archaeological and architectural recording, in accordance with a written scheme of investigation prior to works commencing on site.
29. Further details of the proposed hard and soft landscaping throughout the site shall be provided prior to occupation of the dwellinghouses. Most specifically details shall be provided in respect of the car parking area to the north of the site.
30. Obscurely glazed windows in the interests of residential amenity – Plot 4 first floor en-suite, Plot 12 first floor en-suite to rear, Plot 11 first floor en1suites and bathroom to the front.
31. Remove permitted development rights for the conversions of garages to additional residential accommodation.
32. Maintenance of all planted materials for five years.
33. Details of boundary treatments shall be submitted to the LPA for approval prior to their installation – most specifically relating to the stone wall adjacent to the PROW and timber fencing.
34. Details of temporary arrangements for the management of waste collection points to be submitted and approved by LPA.
35. Phased approach to ensure that all Listed Buildings are repaired/converted before all of the new build dwellings are occupied.

b) secure a Section 106 agreement to cover the following matters

1. Affordable Housing – Two affordable housing units (both to be intermediate/first homes) to be provided in perpetuity.
2. Open Space – £31,289 off-site contribution, and 285sqm on site contribution to the front of the site adjacent to the existing substation.

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3. 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).

4. Management agreement for the private road.

c) 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 and, 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: Paul Davies, E Firth, Pattison, Sokhal and Thompson (5 votes)

Against: Councillors Armer and A Pinnock (2 votes).

### 12 **Planning Application - Application No: 2021/94061**

The Committee gave consideration to Planning Application 2021/94061 Reserved matters application pursuant to outline permission 2022/91849 for variation condition 21 (highways and occupation) on previous permission 2021/94060 for variation condition 32 on previous permission 2016/92298 for outline application for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) to include the discharge of conditions 17 (site investigations), 29 (Noise attenuation) and 31 (electric vehicle charging points) Former North Bierley Waste Water Treatment Works, Oakenshaw.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Charlie Brown (Objector) and Andrew Windress (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 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. Cycle parking spaces to be provided.
4. Material samples.
5. Landscaping to be implemented prior to occupation, unless other phasing agreed.
6. Landscaping management and maintenance strategy to be provided.

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And discharge of conditions (pursuant to this phase only):

- Condition 6 (BEMP)
- Condition 17 (Coal Legacy)
- Condition 29 (Noise Mitigation)
- Condition 31 (Air Quality)

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

For: Councillors Paul Davies, E Firth, Pattison and Sokhal (4 votes)

Against: Councillor Thompson (1 vote)

Abstained: Councillors Armer and A Pinnock

### 13 **Planning Application - Application No: 2021/94208**

The Committee gave consideration to Planning Application 2021/94208 Outline application for re-development of former waste water treatment works, including demolition of existing structures to provide employment uses (Use Classes E(g)(ii); E(g)(iii); B2 and B8) Former North Bierley Waste Water Treatment Works, Cliff Hollins Lane, Oakenshaw.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Charlie Brown, Cllr Matt Edwards (objectors) and Matthew Sheppard (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(3) the Committee received a representation from Councillor Kath Pinnock (ward member).

#### **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, 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. Reserved Matters (layout, scale, appearance, landscape) to include updated Sustainability Statement, built upon indicative provisions detailed in outline Sustainability Statement.
4. Building not to exceed 18m in height.
5. Construction Environmental management Plan (CEMP).
6. Noise impact assessment to be provided at RM stage.
7. Control on plant equipment noise level.
8. Development to be done in accordance with dust mitigation measures

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9. Limit on development floor area (max. 12,077m<sup>2</sup> GFA), with specific restriction on Parcel Distribution/'Last Mile Delivery' use (max. 6,000m<sup>2</sup> GFA).
  10. Design and the implementation of cycle / footway improvement on Cliff Hollins Lane and Mill Carr Hill Road.
  11. No development to be occupied, prior to completion of the site access and off-site highway improvements Bradford Road (approach to M62 Junction 26 Chain Bar, providing an improved alignment to the junction, changes to signage, and a third lane for direct access to the M606).
  12. Detailed Travel Plan to be submitted / implemented.
  13. Delivery and Servicing Management Plan (DSMP) to be submitted / implemented.
  14. Construction Traffic Management Plan (CTMP) to be submitted / implemented.
  15. Highway condition survey and remediation.
  16. Development be undertaken in accordance with the submitted FRA (and supporting document), specifically that the finished floor levels be set above (92.0mAOD).
  17. Detailed drainage strategy, to include management and maintenance arrangements, to be provided at Reserved Matters stage (layout).
  18. Surface water flood routing strategy to be provided at Reserved Matters stage (layout).
  19. Details of temporary surface water drainage arrangements, during construction (pre-commencement).
  20. Oil separator to be installed within hard surfaced areas / car park (pre commencement).
  21. No development within easement of sewers within the site (unless diversion agreed).
  22. Arrangement for ensuring permanent access to the Moorend Combined Sewer Overflow and the associated syphon sewer.
  23. Foul water arrangement details to be provided.
  24. Details of surface water outfall to be approved.
  25. measures to protect the public sewerage infrastructure that is laid within the site to be provided.
  26. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
  27. EVCP (1 per 10 spaces)
  28. Contaminated Land (Phase 2, Remediation, Validation).
  29. Arboricultural Reports to be provided at Reserved Matters (layout and landscape) stage.
  30. Ecological Design Strategy, to secure 10% net gain based on provided baseline.
  31. No site clearance within bird breeding season (unless survey undertaken).
  32. Lighting Strategy for Ecology.
  33. CEMP: Biodiversity.
  34. Invasive species management plan.
2. Secure a section 106 agreement to cover the following matters:
1. Traffic monitoring and £30,000 (£15,000 x 2) towards potential traffic management schemes at Cliff Hollins Lane and Mill Carr Hill Road
  2. £15,000 for Travel Plan monitoring (£3,000 x 5 years).

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Subject to securing a meaningful increase in contributions towards any potential traffic management schemes at Cliff Hollins Lane and Mill Carr Road.

3. 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 and, 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 Paul Davies, E Firth, Pattison and Sokhal (4 votes).

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

### 14 **Planning Application - Application No: 2022/93932**

The Committee gave consideration to Planning Application 2022/93932 Change of use of Crown House to provide student-only living accommodation (sui generis) in the form of studios (198), with ancillary concierge and communal facilities including an open plan lounge, coffee bar and gym at groundfloor, with laundry, car parking, cycle store, parcel store and plant rooms at basement level and associated works including the installation of new cladding and fenestration to the elevations with a new roof garden atop the building Crown House, 12, Southgate, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from David Tye (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:

1. complete the list of conditions, including those contained within the considered 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. Full details of proposed materials (inc. cladding, panels, fenestration) and their colour to be submitted and approved.
4. Landscape strategy to be submitted and approved.
5. Binstore material and colour details.
6. Revised Noise Impact Assessment (to include assessment of master planned University Car Park).
7. Sound Insulation Assessment.
8. Noise Management Plan.
9. Student occupation only.

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10. Student use of gym / café only.
11. Car park management plan.
12. Waste management and maintenance plan.
13. Cycle parking to be provided as detailed.
14. CMP.
15. Protection of nesting birds.
16. Ecological Design Strategy to secure 10% net gain and other ecological mitigation / enhancements.
17. Removal of non-native species.
18. Air Quality Impact Assessment to be undertaken.
19. EVCP to be provided.
20. Crime mitigation measures to be detailed and implemented.

2. Secure a section 106 agreement to cover the following matters:

- a) Open space off-site contribution: £283,173.00 towards enhancement to local Public Open Space.
- b) Metro enhancements: £20,000 towards bus stop improvements.

3. 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 and, 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 Armer, Paul Davies, E Firth, Pattison, A Pinnock, Sokhal and Thompson (7 votes)

Against: (0 votes).